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LAHORE, THURSDAY, JANUARY 4, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 30, 1893.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

No. 5662.

ACCOUNTS AND FINANCE.

SAVINGS BANKS.

Calcutta, the 30th December 1893.

IT is hereby notified for general information that, with effect from 1st April 1894, the rate of interest on deposits in the Post Office and Presidency Savings Banks will be reduced from $3\frac{3}{4}$ to $3\frac{1}{8}$ per cent. per annum. From that date interest will accordingly be allowed for each calendar month at the rate of three pies on every complete sum of six rupees contained in the lowest balance at credit of each account between the close of the fourth day and the end of the month: Provided that no interest will be allowed on any sum exceeding the maximum limits of deposit prescribed in the Resolution of the Government of India in this Department No. 367, dated the 18th January 1889, and in the existing Rules.

2. The Governor-General in Council reserves the right to alter the rate of interest now fixed at any time.

J. F. FINLAY,

Secretary to the Government of India.

Government Gazette

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Published by Authority.

LAHORE, THURSDAY, JANUARY 11, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 6, 1894.

HOME DEPARTMENT.

NOTIFICATION.

Calcutta, the 4th January 1894.

PUBLIC.

No. 12.—In exercise of the powers conferred by Section 5 of the Indian Explosives Act, 1884, the Governor-General in Council is pleased to direct the substitution of the following rule for Rule 6 (XIX) of the rules to regulate the transport and importation of explosives published in Home Department Notification No. 1417, dated the 24th June 1887:—

> If the wagons employed in the transport of explosives are provided with brakes ,the brakes thereon shall on no account be worked while the wagons are running with a train, nor shall brakes, other than iron brakes, on vehicles immediately adjoining such wagons be worked while such wagons are so running.

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Calcutta, the 2nd January 1894.

No. 1 *F.*—The undermentioned officers, who have been appointed by Her Majesty's Secretary of State to the Forest Department of India, are appointed to be Assistant Conservators of the 2nd grade, with effect from the dates specified opposite their names, and are posted to the provinces noted below :—

* * * * * * * *

Mr. R. M. Williamson, Berar, 16th November 1893.

* * * * * * * *

E. C. BUCK,
Secretary to the Government of India.

STAR OF INDIA.

NOTIFICATION.

Fort William, the 1st January 1894.

No. 1-*S. I.*

His Excellency the Grand Master of the Most Exalted Order of the Star of India is pleased to announce that Her Majesty the Queen, Empress of India, has been graciously pleased to make the following appointments to the said Order :—

* * * * * * * *

To be Companions.

RICHARD UDNY, ESQUIRE, Indian Civil Service, Officiating Commissioner and Superintendent of the Peshâwar Division.

* * * * * * * *

By order of the Grand Master,
W. J. CUNINGHAM,
for *Secretary to the Most Exalted Order of the Star of India.*

INDIAN EMPIRE.

NOTIFICATION.

Fort William, the 1st January 1894.

No. 1-*I. E.*

His Excellency the Grand Master of the Most Eminent Order of the Indian Empire is pleased to announce that Her Majesty the Queen, Empress of India, has been graciously pleased to make the following appointments to the said Order :—

* * * * * * * *

To be Companions.

* * * * * * * *

Lieutenant Arthur Henry McMahon, Indian Staff Corps, Political Agent in Zhob, Bilúchistán Agency.

* * * * * * * *

John Stuart Donald, Esquire, Assistant Commissioner in the Punjab.

* * * S * * * *

By order of the Grand Master,
W. J. CUNINGHAM,
for *Secretary to the Most Eminent Order of the Indian Empire.*

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Fort William, 1st January 1894.

No. 2-*I*.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Nawáb upon Sardár Muhammad Afzal Khán, Khán Bahádur, British Agent at Kabul, as a personal distinction.

No. 6-*I*.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Bahádur as a personal distinction upon—

* * * * * * * *

Khán Ahmad Shah, Extra Judical Assistant Commissioner in the Punjab.

Khán Saifulla Khán, Honorary Magistrate of Khángarh in the district of Muzaffargarh in the Punjab.

Fazl Hak Khán, Assistant District Superintendent of Police in the Punjab.

* * * * * * * *

His Excellency the Viceroy and Governor-General is pleased to confer the title of Rái Bahádur as a personal distinction upon—

* * * * * * * *

Mián Badan Singh, Senior Member of Council of the Biláspur State in the Punjab.

Lála Lachmi Chand, Sub-Engineer, Public Works Department in the Punjab.

* * * * * * * *

No. 9-I.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Sardár Bahádur as a personal distinction upon—

Sardár Lachmi Sahai, Extra Assistant Commissioner in the Punjab.

Sardár Arjan Singh, Chahal, of the Amritsar District in the Punjab.

No. 10-I.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Sáhib as a personal distinction upon—

* * * * * * * *

Mián Kádir Bakhsh, Bhatti, of Jalálpur in the district of Gujránwála in the Punjab.

* * * * * * * *

No. 12-I.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Rái Sáhib as a personal distinction upon—

* * * * * * * *

Lála Har Naráin, Arora, President of the Municipal Committee of Rámnagar in the district of Gujránwála in the Punjab.

* * * * * * * *

The 4th January 1894.

No. 20 *G.*—With reference to the Notification by the Government of India in the Public Works Department, No. 34 (General), dated the 31st January 1888, the services of Mr. G. M. R. Field, Executive Engineer, 1st Grade, are replaced at the disposal of the Public Works Department, with effect from the afternoon of the 14th November 1893, the date on which he was relieved of his duties in the Patiála State.

No. 20 F.—With reference to the Notification by the Punjab Government, No. 994, dated the 5th September 1893, the services of Mr. J. S. Donald, C.I.E., Assistant Commissioner, lately employed on special duty in connection with the Kabul Mission, were replaced at the disposal of the Punjab Government, with effect from the 26th November 1893.

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

Government Gazette

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Published by Authority.

LAHORE, THURSDAY, JANUARY 18, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 6, 1894.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Calcutta, the 2nd January 1894.

No. 1 *F.*—The undermentioned officers, who have been appointed by Her Majesty's Secretary of State to the Forest Department of India, are appointed to be Assistant Conservators of the 2nd Grade, with effect from the dates specified opposite their names, and are posted to the Provinces noted below:—

* * * * * * * *

Mr. R. M. Williamson, Berar, 16th November 1893.
Mr. R. C. Milward, Central Provinces, 27th November 1893.
Mr. F. Linnell, Central Provinces, 27th November 1893.
Mr. C. O. Hanson, Central Provinces, 27th November 1893.

* * * * * * * *

E. C. BUCK,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JANUARY 13, 1894.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Calcutta, the 12th January 1894.

No. 52.—It is hereby notified for general information that the undermentioned officers will take rank in the third class of the Supplementary Graded List of Civil Offices not reserved for members of the Civil Service of India, published with the Warrant of

Precedence for India in Home Department Notification No. 2032, dated the 1st November 1877, that is to say, in Article 77 of the said Warrant :—

Deputy Conservators of Forests, drawing a salary of Rs. 800 a month and over.

Assistant Inspector-General of Forests.

Deputy Director of the Imperial Forest School, Dehra Dun.

C. J. LYALL,
Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.

FORESTS.

Calcutta, the 10th January 1894.

No. 45-*F.*—The following transfer is ordered in the interests of the public service :—

Mr. H. S. K. Edie, Assistant Conservator of Forests, Central Provinces—to Assam.

The 12th January 1894.

No. 61-*F.*—The following transfer is ordered in the interests of the public service :—

Mr. E. M. Coventry, Assistant Conservator of Forests, Berar—to the Punjab.

E. C. BUCK,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 12th January 1894.

LONDON GAZETTE.

No. 27.—The following extracts are published for general information :—

"London Gazette," dated the 19th December 1893, *pages* 7390 *and* 7391.

INDIA OFFICE,
19th December 1893.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Medical Services, and admissions to the Staff Corps, made by the Governments in India :—

BENGAL MEDICAL ESTABLISHMENT.

Surgeon-Captains to be Surgeon-Majors.

Dated 1st October 1893.

Louis Tarleton Young, M. D.

* * * * * * * *

Donald St. John Dundas Grant.

* * * * * * * *

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 9th January 1894.

No. 17.—Mr. C. E. Day, Executive Engineer, 2nd Grade, Punjab, has been permitted to retire from the service of Government, under the provisions of Public Works Department Resolution No. 2873-G., dated 2nd November 1893, with effect from the afternoon of the 2nd January 1894.

The 11th January 1894.

No. 20.—Mr. F. W. Chanter, Executive Engineer, 2nd Grade, Punjab, is permitted to retire from the service of Government, under the provisions of Public Works Department Resolution No. 2873-G., dated 2nd November 1893, with effect from the afternoon of the 6th January 1894.

The 12th January 1894.

No. 21.—With reference to Public Works Department Notification No. 34, dated the 31st January 1888, the services of Mr. G. M. R. Field, Executive Engineer, 1st Grade, Punjab, are replaced at the disposal of the Government of the Punjab, with effect from the afternoon of the 14th November 1893.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

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Published by Authority.

LAHORE, THURSDAY, JANUARY 25, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 20, 1894.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

Calcutta, the 15th January 1894.

No. 20.—Surgeon-Captain M. A. Ker, I. M. S. (Bengal), is appointed to officiate as Civil Surgeon of Simla during the absence on privilege leave of Surgeon-Major J. A. Cunningham, M. D., M. Ch.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 19th January 1894.

VOLUNTEER CORPS.

APPOINTMENT.

No. 60.—*1st Punjab Volunteer Rifle Corps*—

Honorary Surgeon Francis Frederic Perry (Surgeon-Major, Indian Medical Service), to be Surgeon-Captain, under the provisions of clause 59, India Army Circulars, 1893.

E. H. H. COLLEN,
Secretary to the Government of India.

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Published by Authority.

LAHORE, THURSDAY, FEBRUARY 1, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 27, 1894.

HOME DEPARTMENT.

NOTIFICATION.

No. $\frac{1 \text{ Public}}{178}$.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

Calcutta, the 27th January 1894.

PROCLAMATION.

WHEREAS the Right Honourable Victor-Alexander Bruce, Earl of Elgin and Kincardine, P. C., LL. D., Lord Bruce of Kinloss and Lord Bruce of Torry, in the Kingdom of Scotland, and Baron Elgin, of Elgin, in the United Kingdom, has been appointed by Her Majesty to be Her Viceroy and Governor-General of India, and has assumed the said office, the said appointment is hereby notified, and it is proclaimed that the said Right Honourable the Earl of Elgin, Viceroy and Governor-General of India, has this day taken his seat in His Excellency's Council.

By order of His Excellency the Viceroy
and Governor-General of India in Council,

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Calcutta, the 26th January 1894.

No. 142 *F.*—The following transfers are ordered in the interests of the public service :—

Mr. F. O. Lemarchand, Deputy Conservator of Forests, 2nd Grade, Punjab—to the Central Provinces.

Mr. F. S. Barker, Deputy Conservator, 4th Grade, Central Provinces (on furlough)—to the Punjab.

E. C. BUCK,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

PENSIONS AND GRATUITIES.
FUNDS, SERVICE AND OTHER.

ERRATUM.

Calcutta, the 26th January 1894.

No. 489 *P.*—In Table IV of the Indian Civil Service Family Pension Regulations published in Part I of the *Gazette of India*, dated 28th June 1890, which shows the amount by which the marriage donation is increased by reason of the disparity of age between husband and wife when it exceeds five years—

for the words "six years or more" in the first line under the heading "*Disparity of age*,"

read "five years or more"

for the words "up to" in the first column of the table under the heading "Difference of age between husband and wife,"

read "up to 5 years."

ORDER.—Ordered, that a copy be published in the *Gazette of India* for general information.

Ordered also, that a copy be forwarded to the Home Department, to all Local Governments and Administrations, to the Comptroller and Auditor General and to all Accountants General and Comptrollers, for information.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

For William, the 26th January 1894.

RETIREMENTS.

No. 86.—First Grade Senior Apothecary Robert Crossley, Bengal, is permitted to retire from the service, with effect from the 3rd December 1893, subject to Her Majesty's approval.

VOLUNTEER CORPS.

APPOINTMENT.

No. 89.—*Punjab Light Horse*—

Sydney Maddox Robinson, Gentleman, to be Lieutenant, to complete the establishment.

No. 94.—*North-Western Railway Volunteer Rifles*—

Second-Lieutenant Charles Dundas Dove Wilson to be Lieutenant, with effect from the 17th November 1893, *vice* Down, transferred to the Supernumerary List.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 8, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 3, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

MUSEUMS AND EXHIBITIONS.

Calcutta, the 2nd February 1894.

No. 393.—With reference to paragraph 14 of the Resolution of the Government of India in the Department of Revenue and Agriculture, No. 59—73, dated 3rd October 1893, which was published in the Supplement to the *Gazette of India*, the names of the Governors appointed to act on the Indian section of the Governing Body of the Imperial Institute during 1893-94 are published for information :—

* * * * *

(2) ON BEHALF OF PROVINCES AND NATIVE STATES.

* * * * *

Punjab.—Baden H. Baden-Powell, Esquire, C.I.E. (late Bengal Civil Service).

* * * * *

E. C. BUCK,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 15, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 10, 1894.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

Calcutta, the 6th February 1894.

No. 78.—His Excellency the Viceroy and Governor-General has been pleased to make the following appointments on His Excellency's Personal Staff, with effect from the 27th January 1894:—

*   *   *   *   *   *   *   *

To be Honorary Assistant Surgeons.

*   *   *   *   *   *   *   *

Assistant Surgeon Chetan Shah, Khán Bahádur, Punjab.

Assistant Surgeon Mehr Chand, Rái Bahádur, Punjab.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

No. 661 P.

RESOLUTION.

Calcutta, the 6th February 1894.

READ—

Resolution in this Department, No. 3624 A., dated 18th August 1893, regarding the grant of exchange compensation allowance to European and Eurasian officers of Government not domiciled in India.

RESOLUTION.—The Resolution of the 18th August 1893 applies only to officers whose salary is chargeable to General Revenues. Exchange compensation allowance is therefore not admissible under that Resolution to Government officers in foreign service.

As regards Government officers in foreign service, the Government of India, so far as they are concerned, agree to the grant of exchange compensation allowance under the restrictions and rules of the Resolution last quoted. But as the allowances will not be payable by the Government of India but by the Foreign employer, the claim in each case must, subject to any conditions imposed by statute, or by trust provisions, be decided, in the case of foreign service of the first kind, by the orders of the employer to whom the officer's services have been lent, and in the case of service of the second and third kinds, with the consent of the controlling authority of the funds to which the allowance will be chargeable.

In cases in which exchange compensation allowance is granted to an officer in foreign service of the first kind, as defined in Article 802 of the Civil Service Regulations, the allowance should be calculated on "assumed pay" as defined in Article 808 of those Regulations. In other cases, it should be calculated on the actual sanctioned salary of the officer.

ORDER.—Ordered, that this Resolution be communicated to the several Departments of the Government of India, to all Local Governments and Administrations, to all Heads of Departments subordinate to the Finance Department; to the Comptroller and Auditor General; and to all Accountants-General and Comptrollers.

Ordered also, that the Resolution be published in the *Gazette of India.*

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

For William, the 9th February 1894.

CANTONMENTS.

TAXATION.

No. 129.—Under the powers conferred by Section 25 of the Cantonments Act (XIII of 1889), the Governor-General in Council is pleased to extend to the Murree Cantonment Section 143, sub-section (1), clauses (*a*) and (*b*), of the Punjab Municipal Act (XX of 1891).

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th February 1894.

No. 65.—The following is published for general information :—

No. 463 G.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Application of the special terms of retirement offered in Public Works Department Resolution No. 2873 G., dated 2nd November 1893, to officers appointed before 1874 and promoted to Assistant Engineer, 2nd grade, in that and subsequent years; and extension to the 1st May 1894 of the period within which applications to retire may be made.

Calcutta, the 9th February 1894.

Read—

Government of India, Public Works Department, Resolution No. 2873 G., dated 2nd November 1893.

Read also—

Telegram to Secretary of State, No. 259 G., dated 24th January 1894.

" from Secretary of State, dated the 6th February 1894.

RESOLUTION.—Under clause (IV), sub-clause (1), of Public Works Department Resolution* No. 2873 G., dated 2nd November 1893, Civil Engineers in the Public Works Department who had completed 15 years total service, or more, on the 2nd November 1893, and desire to retire from the service on the special terms offered in that Resolution, were required to submit their applications on, or before, the 1st February 1894. Since the date of that Resolution, the case of officers who joined the service prior to 1874, but only attained the rank of 2nd Grade Assistant Engineer in or after that year, has been submitted to the Secretary of State, and His Lordship has now permitted their inclusion in the list of officers eligible to retire under the special terms. The Government of India are accordingly pleased to extend the period for the submission of applications to the 1st May 1894, inclusive.

* Published in the *Gazette of India* dated the 4th November 1893.

The Governments of Madras and Bombay, Public Works Department, General and Railway Branches.
The Governments of Bengal, the North-Western Provinces and Oudh and the Punjab.
The Chief Commissioners of the Central Provinces, Burma, Assam and Coorg.
The Resident at Hyderabad.
The Agents to the Governor-General for Rájpútána, Central India and Balúchistán.
The Accountant-General, Public Works Department.
The Director-General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Central Division, Lucknow and Assam.

ORDER.—Ordered that the above Resolution be communicated to the Local Governments and Administrations and Officers noted on the margin for information and guidance, and that it be published in Part I of the *Gazette of India*.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

DIEU ET MON DROIT.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 22, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 10, 1894.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 43 I.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

CIVIL WORKS.

Irrigation.

Calcutta, the 5th February 1894.

Revenue Report of Irrigation Works in the Punjab for 1892-93.

Read—

Letter No. 1690 I., dated 30th November 1893, from the Government of the Punjab, forwarding the Revenue Report of Irrigation Works in the Punjab for 1892-93, and Resolution by that Government reviewing the Report.

OBSERVATIONS.—The Capital outlay incurred during and up to the end of 1892-93 is shown in the following statement under the financial heads of account:—

	Number of works.	During the year 1892-93.							Total direct and indirect to end of 1892-93.
		Works.	Establishment.	Tools and Plant.	Suspense Account.	Total direct charges.	Indirect charges.	Total direct and indirect charges.	
	1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
MAJOR WORKS.									
Protective Irrigation Works (Account head 35) ...	1	380	17	—15	—2,172	—1,790	825	—965	36,12,788
Irrigation Works not charged against Revenue (Account head 49) ...	7*	19,88,500	4,24,643	50,585	2,00,084	26,63,812	39,211	27,03,023	6,61,90,198
MINOR WORKS AND NAVIGATION.									
Works of which Capital and Revenue Accounts are kept (Account head 43) ...	4	62,383	12,528	17	—2,331	72,602	2,736	75,338	20,19,992†
TOTAL ...	12	20,51,268	4,37,188	50,587	1,95,581	27,34,624	42,772	27,77,396	7,18,22,978

* The Sirsa Branch being treated as a portion of the Western Jumna Canal.

† Includes Capital outlay on Madhopur Workshops.

2. The total outlay during the year was Rs. 27,77,396, being less by Rs. 19,09,998 than the total outlay during 1891-92, the difference being caused principally by the decreased expenditure on the Chenab Canal.

On the Chenab Canal the capital outlay was Rs. 15,57,985. The principal outlay against the original estimate was on strengthening the Protection Works on the right flank of the Weir at Khánki and on completing distributary systems. On the Chenab Canal Extension Project, for which sanction was received in August 1892, good progress was made in widening the Main Line and on the construction of the Jhang and Bhawáni Branches and works in connection therewith.

On the Bári Doáb Canal the Capital outlay during the year was Rs. 2,45,324, pincipally on constructing and remodelling distributaries.

On the Sirhind Canal there was a capital outlay from Imperial Funds of Rs. 1,60 286, principally on works which were in progress at the time of closing the construction estimate. Under contributions there was a Capital outlay on works of Rs. 3,697, but there were credits under Tools and Plants, Suspense, and Receipts on Capital Account amounting to Rs. 24,877, so that the net result was a reduction of Capital outlay by Rs. 21,180.

On the Western Jumna Canal, excluding the Sirsa Branch, there was a Capital outlay of Rs. 1,01,926, incurred principally on Drainage Works and Distributaries. The Drainage Works, as noted in paragraph 21 of Chief Engineer's report, have had an excellent effect and are practically completed.

On the Sirsa Branch of the Western Jumna Canal, Rs. 6,36,372 from Imperial Funds and Rs. 2,49,083 contributed by the Patiála State were expended on the Capital Account. Two out of the three sections, into which the project is divided, have been practically completed, and the whole of the construction work is expected to be finished before the end of 1894-95.

3. The following statement shows the mileage of main canal and distributaries in operation at the close of the year under review :—

	Completed.	
	Miles of canals.	Miles of distributaries.
Major Works.		
Protective Irrigation Works	22	140
Irrigation Works not charged against Revenue	1,265	5,423
Minor Works.		
Of which Capital and Revenue Accounts are kept	1,870	203
Of which only Revenue Accounts are kept	829	453
Total ...	3,986	6,219

The length of navigable channel was 386 miles.

In addition to the above there are in the Native States 223 miles of completed canal, of which 46 are navigable, and 1,940 miles of completed distributaries.

During the year the length of canal has been increased by 83 miles, and of distributaries by 252 miles, all in British territory.

4. The financial results of the canals in operation are exhibited in the following statement:—

Canal.	Total direct and indirect Capital outlay to end of 1892-93.	Gross Revenue collected.			Working Expenses.			Net Revenue.	Percentage of net Revenue on Capital outlay.
		Irrigation Revenue.*	Miscellaneous receipts.	Total.	Direct.	Indirect.	Total.		
1	2	3	4	5	6	7	8	9	10
MAJOR WORKS.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
35—Protective Irrigation Works—									
Swát River Canal ..	36,12,788	2,81,706	7,479	2,89,185	93,839	7,413	1,01,252	1,87,933	5 20
49—Irrigation Works not charged against Revenue—									
Western Jumna ...	1,13,44,154	10,68,861	88,464	11,57,325	4,76,985	29,529	5,06,514	6,50,811	5·74
Bari Doáb ...	1,66,99,454	22,70,018	1,58,384	24,28,402	6,72,895	41,701	7,14,596	17,13,806	10·26
Sirhind ...	2,37,92,238	23,35 576	94,086	24,29,662	6,54,185	44,790	6,98,975	17,30,687	7·27
Chenab ...	1,08,18,500	2,04,455	4,047	2,08,502	2,53,255	16,519	2,69,774	—61,272	...
Lower Sohag and Pára	6,99,927	78,211	6,251	84,462	88,607	4,906	93,513	—9,051	...
Sidhnai ...	9,67,110	2,10,949	662	2,11,611	62,320	4,687	67,007	1,44,604	14·95
Total Major Works, 1892-93	6,79,34,171	64,49,776	3,59,373	68,09,149	23,02,086	1,49,545	24,51,631	43,57,518	6·41
Total for 1891-92	6,58,68,745	56,51,882	3,89,108	60,40,990	21,24,182	1,27,756	22 51,938	37,89,052	5·75
MINOR WORKS.									
43—Works of which Capital and Revenue Accounts are kept—	6,41,240	2,17,682	17,375	2,35,057	1,24,301	7,024	1,31,325	1,03,732	16·18
Upper Sutlej ...	1,10,102	3,24,457	1,76,836	5,01,293	2,92,473	11,561	3,04,034	1,97,259	179·16
Lower Sutlej and Chenab.									
Indus Inundation ...	7,07,635	1,53,308	96,182	2,49,490	2,12,847	10,540	2,23,387	26,103	3·69
Shahpur Inundation	1,36,867	66,322	839	67,161	27,420	1,104	28,524	38,637	28·23
Total of Minor Works, 1892-93.	15,95,844	7,61,769	2,91,232	10,53,001	6,57,041	30,229	6,87,270	3,65,731	22·92
Total for 1891-92 ...	15,20,506	6,84,472	3,73,473	10,57,945	6,57,791	30,059	6,87,850	3,70,095	24·34
Works of which only Revenue Accounts are kept—									
Muzaffargarh, 1892-93	...	2,62,366	1,31,753	3,94,119	2,05,855	7,594	2,13,449	1,80,670	...
Muzaffargarh, 1891-92	...	2,61,542	1,61,390	4,22,932	2,27,540	6,207	2,33,747	1,89,185	...
GRAND TOTAL, 1892-93 ...	6,95,30,015	74,73,911	7,82,358	82,56,269	31,64,982	1,87,368	33,52,350	49,03,919	†6·79
GRAND TOTAL, 1891-92 ...	6,73,89,251	65,97,896	9,23,971	75,21,867	30,09,513	1,64,022	31,73,535	43,48,332	†6·17

* Refunds deducted from Revenue.

† These percentages of net Revenue on capital outlay do not include Muzaffargarh Canal.

5. The net Revenue for the whole Province is higher by Rs. 5,55,587 than it was in 1891-92, and the percentage on Capital outlay has risen from 6·17 to 6·79.

The Major Works show an increase in net Revenue of Rs. 5,68,466, while the Minor Works show a decrease of Rs. 4,364, which, together with a decrease of net Revenue on the Muzaffargarh Canal of Rs. 8,515, accounts for the net increase over the whole Province.

Under Major Works, the Bári Doáb and Sirhind Canals show a large increase in net Revenue, while there is a large decrease on the Western Jumna Canal owing to the areas irrigated in the rabi of 1891-92 and the kharíf of 1892-93 having been smaller than usual.

This year the Swát River Canal gives a return of 5·20 per cent. of net Revenue on Capital outlay, but from paragraph 12 of the Chief Engineer's report there appear to be grounds for apprehension that the country irrigated by this canal may soon become water-logged if the increase of area irrigated be not checked, and a detailed statement of his views is awaited by the Local Government.

The only Major Works which failed to meet their working expenses were the Chenab and the Lower Sohág and Pára Canals. The Chenab Canal cannot yet be expected to pay its way, and the Chief Engineer in paragraph 139 of his report states that there is every reason to hope that the Lower Sohág and Pára Canal will give large returns in the near future.

Under Minor Works, the Upper Sutlej and the Shahpur Canals show a satisfactory increase of net Revenue over last year, and the Indus Canal returns, though lower than those of last year, which were abnormally high owing to the recovery of arrears of collections, show an improvement on the figures of former years.

The net Revenue of the Lower Sutlej and Chenab Canals is about the average of ordinary years, while that of the Muzaffargarh Canals is slightly below it.

6. The net Revenue of the Major Works in operation exceeded the interest charges by Rs. 17,91,956, and at the close of the year the balance of net Revenue over interest charges for the whole Province amounted to 241¾ lakhs of rupees.

7. The area irrigated during the year and the irrigation revenue assessed thereon are shown in the following statement :—

Canl.	AREA IRRIGATED.		ASSESSMENT, 1892-93.						10	11	12
	1892-93.	1891-92.	Occupier's rate.	Owner's rate.	Share of land revenue.	Sale proceeds of waste or other lands benefited	Water advantage rate.	Gross assessed revenue, excluding miscellaneous	Assessment, 1891-92.	RATE PER ACRE IRRIGATED. 1892-93.	1891-92.
1	2	3	4	5	6	7	8	9			
	Acres.	Acres.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Swát River ...	104,723	99,350	2,62,371	...	...	...	...	2,62,371	2,49,845	2·50	2·51
Western Jumna, including Sirsa Branch.	256,298	335,350	6,98,98[illegible]	2,79,97[illegible]	...	...	...	9,78,956	12,55,614	3·82	3·74
Bári Doáb ...	567,896	592,785	20,02,510	1,18,886	...	...	...	21,21,396	20,43,726	3·73	3·44
Sirhind ...	412,791	685,610	13,36,367	...	...	...	...	13,36,367	22,34,735	3·24	3·26
Chenab ...	157,197	35,524	2,94,305	37,984	...	17,518	...	3,49,807	80,409	2·22	2·26
Lower Sohág and Pára.	70,129	56,908	90,224	...	...	...	...	90,224	63,694	1·28	1·12
Sidhnai ...	151,838	157,514	3,09,740	...	...	...	...	3,09,740	2,42,847	2·04	1·54
Upper Sutlej ...	210,048	185,374	24,66[illegible]	...	1,84,965	...	35,564	2,45,193	1,99,248	1·17	1·07
Lower Sutlej and Chenab.	371,033	368,683	173	...	3,24,310	...	...	3,24,483	3,23,090	0·87	0·87
Indus ...	206,576	217,890	34,289	...	1,53,308	...	...	1,87,597	1,49,853	0·91	0·69
Shahpur ...	29,577	28,292	64,687	...	7,123	...	...	71,810	56,355	2·43	1·99
Muzaffargarh ...	311,225	304,056	...	...	2,62,428	...	...	2,62,428	2,61,597	0·84	0·86
TOTAL ...	2,849,331	3,067,336	51,18,313	4,36,843	9,32,134	17,518	35,564	65,40,372	71,61,013	2·29	2·33

8. The total area irrigated, though less by 218,005 acres than last year, is the second largest area on record.

The rainfall during the winter was abnormally great, and in most parts of the Province enabled crops to be brought to maturity without the aid of canal water.

The rate per acre for the whole Province has again fallen below that of the previous year; it is higher on most of the Minor Works, while on four of the Major Works it is higher, and lower on the remainder.

9. The areas of kharíf and rabi crops were as follows :—

	Kharif. Acres.	Rabi. Acres.
Perennial Canals	681,124	817,781
Inundation ,, ...	637,694	712,732
Total ...	1,318,818	1,530,513

Compared with last year, the kharíf irrigated area has increased and is the largest for the past five years. The rabi irrigation on the other hand has decreased largely on the perennial canals and slightly on the inundation canals. The cause of the decrease on the perennial canals is the abnormal winter rainfall.

10. The following table shows the irrigated areas of the principal crops for the last two years :—

	1892-93 Acres.	1891-92 Acres.
Sugarcane	72,902	91,238
Rice	170,282	184,637
Jowár	177,758	157,146
Maize	122,235	114,879
Wheat	957,635	1,120,982
Cotton	216,599	188,072

The decrease under sugarcane occurred on the Western Jumna Canal and is due to the low supply of water in the Jumna River in April and May 1892.

The decrease under rice is attributed to a similar cause.

The increase under jowár and maize is due to these crops having been sown to take the place of crops which could not be sown earlier owing to short supplies during the early kharíf.

The decrease in wheat is due to the abnormally heavy winter rains.

Cotton, which suffered greatly last year from the attacks of locusts, has somewhat recovered.

The value of the crops irrigated is estimated at 826 lakhs of rupees.

11. Details of the discharges and water duty of the perennial canals, together with the minimum discharges of the rivers from which their supplies are drawn, are given in the following table :—

Canal.	Minimum discharge of river. Cubic feet per second.	Maximum discharge of canal as designed. Cubic feet per second.	Maximum discharge of canal during year. Cubic feet per second.	Average discharge at head. Kharíf. Cubic feet per second.	Average discharge at head. Rabi. Cubic feet per second.	Acres irrigated per cubic foot of average discharge. Kharíf.	Acres irrigated per cubic foot of average discharge. Rabi.
1	2	3	4	5	6	7	8
Swát River	2,039	700	657	630	500	56	139
Western Jumna ...	3,521	4,000	3,321	2,003	1,501	77	72
Bári Doáb	2,091	3,000	4,045	3,620	2,764	66	119
Sirhind	4,366	6,000	6,041	2,730*	2,575	63	93
Chenab	5,763	8,000	2,000	1,553	1,135	54	65

* Excluding Native States Branches.

The minimum river discharges are, with the exception of the Swát River, higher than last year. The kharíf duties are generally about the average of the last five years, while the rabi duties are all low. Supply exceeded demand during the greater part of the winter, and the rabi duties therefore do not compare favourably with those of seasons in which the contrary was the case.

The duty on the Chenab Canal is expected to improve as the area under irrigation increases.

12. On the Native States Branches of the Sirhind Canal the irrigation is still below the area which would have been obtained on British Branches from similar volumes of water. The proportion obtained remains as it was last year, *viz.*, 58 per cent., and the Chief Engineer, in paragraph 109 of his report, mentions that it would almost seem as if we should have to be content with an area only three-fifths of what would be irrigated did the States work up to the British standard.

13. The following table shows the working of the Native States Branches :—

STATE.	Capital outlay.	Gross revenue collected less refunds.	Working Expenses.	Net Revenue.	Percentage on Capital Outlay.	Water rates assessed.	Area irrigated.	Water rates assessed per acre.	Working Expenses per acre.
	Rs.	Rs.	Rs.	Rs.		Rs.	Acres.	Rs.	Rs.
Pátiala	1,14,34,606	6,84,520	3,59,437	3,25,083	2·84	3,72,571	114,859	3·23	3·12
Nabha	12,42,999	48,227	37,380	10,847	0·87	41,314	11,540	3·65	3·24
Jínd	10,87,242	32,882	37,252	—4,370	...	28,662	7,874	3·64	4·73
TOTAL, 1892-93 ...	1,37,64,847	7,65,629	4,34,069	3,31,560	2·41	4,42,547	134,273	3·29	3·23
TOTAL, 1891-92 ...	1,37,86,027	7,63,746	3,95,599	3,68,147	2·67	7,25,881	224,446	3·23	1·76

The figures for the year under review are far from satisfactory. The percentage on Capital outlay, which in Patiála is 2·84 as compared with 2·78 for last year, has in Nabha fallen from 2·30 to 0·87, and in Jínd there was a lôss equivalent to 0·40 per cent. on the Capital as against a profit of 1·89 per cent. in the previous year. The working expenses per acre are also very high, being Rs. 3·23 per acre as against Rs. 1·76 in 1891-92.

The value of the crops irrigated during the year from the Native States Branches is estimated at Rs. 39,68,512.

14. The working expenses of the different canals are shown below :—

	CANALS.	1892-93. Works.	Establishment.	Tools and Plant.	Indirect charges.	Total.	1891-92. Total.
	1	2	3	4	5	6	7
	Major Works.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
PERENNIAL.	35—Protective Irrigation Works—						
	Swát River Canal ...	39,944	52,949	946	7,413	1,01,252	1,02,054
	9—Irrigation Works not charged against Revenue—						
	Western Jumna Canal ...	2,56,052	2,10,738	10,195	29,529	5,06,514	5,08,431
	Bári Doáb Canal ...	3,69,421	2,97,671	5,803	41,701	7,14,596	7,66,603
	Sirhind Canal (British portion) ..	3,26,681	3,19,927	7,577	44,790	6,98,975	5,82,995
	Chenab Canal ...	1,32,526	1,17,991	2,738	16,519	2,69,774	1,10,141
INUNDATION.	Lower Sohág and Pára Canal ...	53,555	35,041	11	4,906	93,513	84,199
	Sidhnai Canal ...	28,252	33,483	585	4,687	67,007	97,515
	Total Major Works ...	12,06,431	10,67,800	27,855	1,49,545	24 51,631	22,51,938
	Per acre irrigated ...	...	...	...	...	1·42	1·15
	Minor Works.						
	43—Works for which Capital and Revenue Accounts are kept—						
	Upper Sutlej Canals ...	72,763	50,171	1,367	7,024	1,31,325	1,15,598
	Lower Sutlej and Chenab Canals	2,03,255	87,422	1,796	11,561	3,04,034	2,96,984
	Indus Canals ...	1,40,39[illegible]	69,799	2,658	10,540	2,23,387	2,48,733
	Shahpur Canals ...	19,530	7,887	3	1,104	28,524	26,535
	Works for which only Revenue Accounts are kept—						
	Muzaffargarh Canals ...	1,50,187	55,568	100	7,594	2,13,449	2,33,747
	Total Minor Works ...	5,86,125	2,70,847	5 924	37,823	9,00,719	9,21,597
	Per acre irrigated ...	...	...	...	...	0·79	0·83

The total working expenses are more by nearly two lakhs of rupees than last year, the increase being due almost entirely to additional expenditure on the Sirhind and the Chenab Canals. In the latter case the increase is due to the expansion in length of irrigating channels and area irrigated, and in the former case it occurs largely under establishment and is due to the decreased capital expenditure.

The rate per acre irrigated has risen in the case of the Major Works on account of the smaller area irrigated.

15. The following are the details of the charges for establishment :—

	Revenue management.	Maintenance.	Total.	Percentage.
	Rs.	Rs.	Rs.	
Direction	82,106	80,448	1,62,554	12·14
Executive	6,55,930	2,79,523	9,35,453	69·88
Medical	...	11,571	11,571	0·87
Collection	2,27,915	...	2,27,915	17·03
Navigation	1,154	...	1,154	0·08
TOTAL	9,67,105	3,71,542	13,38,647	100·00

The share of direction charged to revenue is higher than in 1891-92 because of the smaller capital outlay.

16. The working expenses on Major Works amounted to 36 per cent. of the gross revenue realised as against 37·2 per cent. last year.

17. The following are some of the principal works charged against the Revenue Account :—

On the Swát River Canal.—Increasing the capacity of two drainage inlets.

On the Western Jumna Canal.—Regulating apparatus for Tajawála Dam, constructing Kachrauli Drain, wire rope suspension bridge on Hansi Branch, renewing with cast-iron grooves eight bays of the Tájawála under-sluices.

On the Bári Doáb Canal.—Building quarters for the regulating establishment at Madhopur, remodelling and constructing distributaries.

On the Sirhind Canal.—Alterations below Chupki and Akalgarh Falls for facilitating navigation, construction of four ferries and a discharge run on Abohar Branch, minor head gates and gearing for Ludhiána Division.

On Chenab Canal.—Four rest-houses for Ziladárs and a workshop at Salar.

On the Indus Inundation Canals.—Reconstruction of head regulator of the Baja Branch of Manka Canal, addition to the head regulator Shoria Canal and construction of Gajani Branch and Western Distributaries, constructing Fauja and Borwala reclamation bunds.

18. The navigation receipts and charges are shown in the margin. The increase in traffic which followed on the revision of rates for rafting, mentioned in paragraph 19 of last year's review, has not been maintained: it yet remains to be seen whether the decrease which has occurred in the year under review will prove to be merely temporary.

	Receipts.	Charges.
	Rs.	Rs.
Western Jumna Canal ...	35,869	12,274
Sirhind Canal (including Native States Branches)	9,192	13,115
Total ...	45,061	25,389

The net profit on navigation operations amounted to only Rs. 19,672 during the year.

19. The receipts on account of water power amounted to Rs. 1,51,101 as compared with Rs. 1,65,377 in 1891-92. The decrease is due to the longer closures of canals owing to slackness of demand.

20. On the Lower Sutlej and Chenab Canals and the Muzaffargarh Canals the value of " chher " labour and the sums contributed from the Zar-i-nagha funds are included in miscellaneous receipts.

On the Lower Sutlej and Chenab Canals, 668,598 labourers were called out, and of these 455,880 were actually present. After allowing for 36,326, whose absence was sanctioned, the total number of absentees was 176,392, or a percentage of 26·37 as against 32·13 of last year. Fines amounting to Rs. 94,994 were inflicted.

The value of "chher" labour, as shown in the administrative accounts, was Rs. 92,021, but in paragraph 201 of the Chief Engineer's report it is stated that the correct value is Rs. 1,80,720, the error having arisen from the full value of the labour not havnig been reported.

The error does not affect the balance of expenditure and receipts as the assumed value of "chher" labour is shown on both sides of the account. Contributions from the Zar-i-nagha fund amounted to Rs. 81,611.

On the Muzaffargarh Canals the numbers of labourers were—

Called out	494,074
Present	437,309
Absent with sanction	17,249
Absent without sanction	45,258

Fines for absence amounted to Rs. 26,217

The value of "chher" labour was Rs. 1,12,514, and Rs. 18,756 were contributed from the Zar-i-nagha fund.

The Zar-i-nagha funds on the Lower Sutlej and Chenab Canals and the Muzaffargarh Canals show credit balances of Rs. 1,10,126 and Rs. 62,202 respectively.

21. The year opened with an unrealised demand of Rs. 67,260, after deducting Rs. 756 as detailed at foot of table III C., and closed with an unrealised balance of Rs. 88,818. The demands during the year amounted to Rs. 61,22,593, and the collections to Rs. 61,01,035.

22. Two new points of interest are noted in the Resolution by the Local Government, *viz.*:—

(1) The results of the checks applied to the measurements of the irrigated area. Paragraphs 42, 72, 106 and 134 of the Chief Engineer's report deal with this subject and the results are considered to be on the whole exceedingly satisfactory.

(2) The time spent on tour by Divisional and Sub-Divisional Officers. The former officers were away from head-quarters on tour during 182 days, or half the year on the average, and the latter were on tour an average of 246 days, or two-thirds of the year.

23. The report reached the Government of India on the 4th December, the date prescribed for its submission being the 15th November. It has, as usual, been prepared with great care, and is illustrated by excellent maps and diagrams. The results set forth in it are once more satisfactory, and the Government of India have much pleasure in endorsing the praise accorded by the Honourable the Lieutenant-Governor to Colonel Ottley and Mr. Higham in paragraph 22 of the Resolution by the Local Government.

ORDER.—Ordered, that copies of this Review and of the Report, and the Resolution by the Punjab Government, be forwarded to the Revenue and Agricultural Department for information.

Ordered also, that copies of the Review be forwarded to the Government of the Punjab for information and guidance, and that copies of this Review and of the Report and Resolution by the Punjab Government be forwarded to the Local Governments and Administrations in the Public Works Department noted in the margin, for information.

The Governments of Madras, Bombay, Bengal and the North-Western Provinces and Oudh, in the Public Works Department.
The Chief Commissioners of the Central Provinces, Burma and Coorg.
The Residents at Hyderabad and Mysore
The Agents to the Governor-General in Central India, Rájputána and Biluchistán.

Ordered further, that this Review be published in the *Gazette of India*, and that copies of this Review and of the Report and Resolution by the Punjab Government be forwarded to Her Majesty's Secretary of State for India.

F. L. O'CALLAGHAN,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 17, 1894.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Calcutta, the 15th February 1894.

No. 298.—In continuation of Home Department Notification No. 846, dated 19th June 1893, the Governor-General in Council is pleased, under Section 17 of the Indian Arms Act, 1878, to direct that the following clause shall be added to the conditions printed on the back of Forms VI and VII of the forms of licenses published with that notification when such licenses are granted in Burma :—

> The license-holder shall not sell arms and ammunition to any Asiatic without the permission in writing of the District Magistrate. He shall not sell more than three pounds of gunpowder to any one without the same permission.

[NOTE.—This prohibition does not apply to sales of gunpowder to Europeans and Eurasians of whose respectability the license-holder is satisfied.]

C. J. LYALL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

HORSE-BREEDING AND AGRICULTURAL STOCK.

Calcutta, the 16th February 1894.

No. 406-6.—Veterinary-Lieutenant H. M. Maxwell is appointed to the Civil Veterinary Department on probation, with effect from the 5th February 1894, and is posted to the Punjab and Balúchistán.

E. C. BUCK,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 16th February 1894.

FURLOUGH AND LEAVE.

No. 151.—The undermentioned officer is granted furlough out of India :—

> Lieutenant-Colonel H. J. Lawrence, General List, Infantry, Divisional and Sessions Judge, 2nd Grade, Punjab (p. a.), for one year and eight days, under Rule IX of the Regulations of 1868.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 13th February 1894.

No. 67.—It is hereby notified that, subject to the conditions laid down in Rule IV of Public Works Department Resolution No. 36 A.—E., dated the 9th February 1894, published in Notification No. 55 of the 9th idem, three vacancies in the Superior Accounts Branch of the Public Works Department will be open to competition at the next examination for admission into that branch of the service.

The 15th February 1894.

No. 72.—Mr. C. Newman, Assistant Examiner of Accounts, 2nd Grade, on probation, vacated his appointment, under the operation of the rule in paragraph 65 of Chapter II of Public Works Department Code, Volume I (before issue of Standing Order No. 169 of 1893), on the forenoon of the 6th February 1894.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 9th February 1894.

No. 4.—First Grade Assistant Surgeon Rám Kishen, of the Punjab Provincial Establishment, is permitted to resign the service of Government.

W. R. CLARK, M.B.,

for *Surgeon-General with the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 1, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 17, 1894.

HOME DEPARTMENT.

NOTIFICATION.

EXAMINATIONS.

Calcutta, the 15th February 1894.

No. 43.—The following list shows the names of selected candidates and the marks obtained by them in each subject at the recent examination for clerkships in the Lower Division of the Secretariat Offices of the Government of India and the Departments directly attached thereto :—

No.	Names of candidates in order of merit.	Date of birth.	English composition.	Précis-writing.	History (English and Indian).	Geography.	Elementary Mathematics.	Total.	Office in which the candidate elects to serve.
			100	100	50	50	50	350	
1	Rakhal Chandra De ...	June 1871 ...	53	85	33	38	39	248	Office of the Surveyor-General of India.
2	Uma Prasanna Mukerjee ...	26th Novr. 1874 ...	75	77	38	30	22	242	Financial, Home or Military Department.
3	Upendra Náth Chatterjee ...	Feby. 1874 ...	56	72	35	35	43	241	Home or Financial Department.
4	Balai Chand Síl ...	18th Octr. 1873 ...	57	85	25	35	33	235	Any of the Secretariat Offices.
5	Kshetra Pada Banerjee ...	7th Jany. 1873 ...	48	81	45	37	23	234	Military, Financial or Home Department.
6	J. A. D'Santos ...	27th Novr. 1873 ...	70	80	28	28	27	233	Legislative Department.
7	Surendra Náth Bhattacharjee	18th Jany. 1873 ...	68	76	32	20	31	227	Any of the Secretariat Offices.
8	Rajendra Náth Dás ...	Octr. 1872 ...	56	79	27	37	27	226	......
9	Káli Dás Banerjee ...	21st April 1871 ...	70	49	35	33	38	225	......
10	Harihar Náth Mattu ...	Novr. 1872 ...	46	66	38	33	41	224	Home Department.
11	Beni Madhab Ghose ...	March 1873...	64	51	36	28	28	207	Financial or Military Department.
12	Feroz-ud-dín ...	5th March 1871 ...	45	37	24	36	33	175	Office of the Commissary-General in-Chief.
13	Krishna Chandra Banerjee ...	13th Jany. 1872 ...	50	47	39	21	17	174	Financial or Military Department.
13	Rájmohan Náth ...	30th March 1870...	60	57	19	22	16	174	Financial, Military or Home Department, or Office of the Accountant-General, Public Works Department (moving Branch),
15	Kanhaiya Lál ...	10th Augt. 1870 ...	36	39	31	28	27	161	Any of the offices of the Commissary-Generals of Circles.

C. J. LYALL,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 24, 1894.

MILITARY DEPARTMENT.

Fort William, the 23rd February 1894.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 189.—*1st Punjab Volunteer Rifle Corps*—

William Gerard Barnes, Esquire, to be Captain, *vice* Dennys, resigned.

No. 190.—*North-Western Railway Volunteer Rifles*—

Thomas Gregson, Gentleman, to be Second-Lieutenant, with effect from the 30th January, 1894, to complete the establishment.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 21st February 1894.

No. 79.—Mr. J. H. Brooke, Executive Engineer, 3rd Grade, Punjab, has been permitted to retire from the service of Government, under the provisions of Government of India, Public Works Department, Resolution No. 2873-G., dated the 2nd November, 1893, with effect from the forenoon of the 2nd February, 1894.

The 22nd February 1894.

No. 86.—Mr. F. Harris, Executive Engineer, 2nd Grade, Punjab, is permitted to retire from the service of Government, under the provisions of Government of India, Public Works Department, Resolution No. 2873-G., dated 2nd November, 1893, with effect from the forenoon of the 7th February, 1894.

The 23rd February 1894.

No. 88.—Rái Sáhib Ságar Mal, Assistant Engineer, 1st Grade, and Executive Engineer, old 4th Grade, Punjab, has been permitted to retire from the service of Government, under the provisions of Government of India, Public Works Department, Resolution No. 2873-G., dated 2nd November, 1893, with effect from the forenoon of the 11th February, 1894.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

FROM THE "SUPPLEMENT TO THE GAZETTE OF INDIA," DATED 24TH FEBRUARY 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

Extract from the Proceedings of the Government of India, in the Department of Revenue and Agriculture (Museums and Exhibitions),—No. 7—3, dated Calcutta, the 19th February 1894.

MUSEUMS AND EXHIBITIONS.

READ—

Resolution of the Government of India, in the Department of Revenue and Agriculture, No. 2634—51, dated 4th August 1893, intimating the extent to which the Government will take part in the Antwerp Exhibition of 1894.

RESOLUTION.

IN the Resolution read in the preamble the public were informed that persons intending to exhibit articles at the Antwerp Exhibition should apply to the Belgian Consular authorities in India. It is understood that the number of applications received from private exhibitors has been very small. Arrangements have meantime been made by the Government of India for the exhibition of Indian coffee and Indian cigars in conjunction with the collection of Indian artware supplied by a private firm and of a few selected timbers contributed by the Forest Department, regarding which information was given in the Resolution above referred to.

The Consul-General for Belgium has been asked to provide a limited amount of space for the above objects; and if this is obtained, the Government of India will be prepared to accord free space for the exhibition of coffee and cigars by private individuals or firms.

Persons intending to exhibit either of the above commodities are, therefore, requested to communicate as soon as possible with the Reporter on Economic Products to the Government of India, Calcutta, instead of communicating with the Belgian Consular authorities.

ORDER.—Ordered that this Resolution be published in the Supplement to the *Gazette of India* for general information, and that copies be forwarded to all Local Governments and Administrations, with the request that it be republished in the local Gazettes.

[True Extract.]

E. C. BUCK,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 8, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 3, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 27th February 1894.

No. 379.—The Governor-General in Council is pleased, under Section 27 of the Indian Arms Act, XI of 1878, to direct—

(1) that the following words shall be added after the words "the Council of the Lieutenant-Governor of Bengal" in clause (2), paragraph I of Home Department Notification No. 518, dated the 6th March 1879:—

"or of the North-Western Provinces and Oudh;"

(2) that sub-clause (*c*) of clause (9) of paragraph I of the same Notification shall be omitted, and in its place the following name substituted :—

(*c*) Rao Sheodarshan Singh of Gopalpura in the North-Western Provinces; also that the sub-clauses added to this clause by the Notifications marginally cited shall be omitted, and in lieu thereof the following sub-clause added to the clause in question:

Home Department Notification No. 1826, dated the 6th December 1880.
Home Department Notification No. 795, dated the 16th June 1881.
Home Department Notification No. 944, dated the 7th July 1881.
Home Department Notification No. 1218, dated the 23rd August 1881.
Home Department Notification No. 616, dated the 16th April 1884.
Home Department Notification No. 240, dated the 19th February 1885.
Home Department Notification No. 2772, dated the 5th November 1887.
Home Department Notification No. 2130, dated the 22nd October 1890.
Home Department Notification No. 1716, dated the 15th July 1892.

"the retainers of—

Mahárája Mahendra Mahendra Singh, C.I.E., of Bhadawar.

Rája Sir Dinkar Rao Mushír-i-Khás Bahádur, K.C.S.I.

Rája Rúp Sah of Jagamanpur.

Rája Rám Singh of Rámpura.

Rája Sardár Singh Bahádur of Katehra.

Rája Atma Rám Bába Bahádur of Gurserai.

His Highness Mahárája Sir Prabhu Narayan Singh, Bahádur, K.C.I.E., of Benares.

Rája Hari Ráj Singh of Kashipur.

The Honourable Rája Udai Partáb Singh, C.S.I., of Bhinga, and Rája Balwant Singh of Awa.

The Oudh retainers of His Highness Rája Jagatjít Singh Bahádur of Kapurthala, Rája-i-Rájagan."

(3) that in clause (10), paragraph 1 of the same Notification the words "Boards or" shall be inserted between the words "Municipal" and "Committees."

ESTABLISHMENTS.

The 2nd March 1894.

No. 104.—Mr. G. Smyth is permitted to resign Her Majesty's Indian Civil Service, with effect from the 9th March 1894 or the subsequent date on which he may sail from India.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 27th February 1894.

No. 1047-*A*.—Read the following :—

FINANCIAL,

No. 21.

INDIA OFFICE,

London, the 1st February 1894.

To His Excellency the Right Honourable the Governor-General of India in Council.

MY LORD,—With reference to my telegram dated the 23rd ultimo, I forward a copy of the correspondence with the Treasury regarding the official rate of exchange for the year 1894-95.

2. You will observe that the rate has been fixed at one shilling and three pence farthing (1*s*. 3¼*d*.) the rupee, subject to a revision hereafter if it should be deemed necessary in consequence of the actual rate varying greatly from the official rate for any considerable length of time.

I have, &c.,

(Sd.) KIMBERLEY.

Ordered, that the Despatch be published in the *Gazette of India* for general information.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 2nd March 1894.

PROMOTIONS.

No. 208.—The following promotions are made subject to Her Majesty's approval :—

INDIAN STAFF CORPS.

Captains to be Majors.

Dated 28th February 1894.

* * * * *

Harold Arthur Deane.

* * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 27th February 1894.

No. 96.—Mr. D. C. Gordon, Examiner of Public Works Accounts, Punjab, is granted furlough out of India for one year and six months, under Article 340 of the Civil Service Regulations, with effect from the 1st April 1894 or such subsequent date from which he may avail himself of it.

No. 97.—*Rai* Pandit Prem Náth *Bahádur*, Examiner of Accounts, Oudh and Rohilkhand Railway, is appointed Examiner of Public Works Accounts, Punjab.

The 2nd March 1894.

No. 103.—Mr. A. C. Livingstone-Learmonth, Executive Engineer, 2nd grade, Punjab, has been permitted to retire from the service of Government, under the provisions of Government of India, Public Works Department, Resolution No. 2873 G., dated 2nd November 1893, with effect from the forenoon of the 4th October 1893.

Public Works Department Notification No. 448, dated 4th December 1893, is hereby cancelled.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 15, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 10, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 6th March 1894.

No. 453-*M.*—His Excellency the Viceroy and Governor-General will leave Calcutta on Friday, the 30th March, 1894, and visit Lucknow, Sahāranpur, Dehra Dún, and Mussoorie.

His Excellency will arrive at Simla on Saturday, the 14th April 1894.

By Command,

A. DURAND. *Lieut-Colonel,*

Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 7th March 1894.

No. 483.—In exercise of the power conferred by section 17 of the Indian Arms Act (XI of 1878), the Governor-General in Council is pleased to direct that the following rule shall be substituted for Rule 6 B of the rule published with Home Department Notification No. 1601, dated the 30th August 1879:—

Licenses to import by sea from Madras into the ports of Calicut, Tuticorin, Cochin, Bimlipatam, Coconada, Negapatam, Mangalore, Gopalpur, Vizagapatam, Pamban, and Masulipatam, and from Rangoon into the ports of Akyab, Moulmein, Sandoway, Kyouk-phyoo, Tavoy, and Mergui, may be granted by the Magistrates of the districts in which those ports are respectively situated, in respect of arms other than cannon or rifles not excepted by Rule 5, ammunition or military stores. The fee payable in respect of each such license shall be one rupee, and the license shall be in Form III appended to these rules.

No. 488.—In the Notification of the Home Department, No. 1905, dated the 15th September 1892, publishing an additional rule with respect to the export of ammunition, military stores and arms by sea, *for* the number "6 A" prefixed to the rule *read* "6 D."

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Calcutta, the 8th March 1894.

No. 309-*F.* * * * * *

Mr. R. H. E. Thompson, Conservator, 3rd grade, Northern Circle, Central Provinces, is appointed to officiate in the 2nd grade, *vice* Mr. Dansey, with effect from 23rd February 1894 and until further orders.

* * * * *

M. FINUCANE,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 9th March 1894.

APPOINTMENTS.

PERSONAL STAFF.

No. 224.—The Viceroy and Governor-General has been pleased to make the following appointments on His Excellency's personal staff, with effect from the 27th January 1894:—

To be Honorary Surgeons.

* * * * *

Surgeon-Major S. H. Browne, M. D., Indian Medical Service.

PROMOTIONS.

No. 234.—The following promotions are made, subject to Her Majesty's approval:—

* * * * *

MEDICAL DEPARTMENT.

To be Surgeon-Colonels.

* * * * *

Brigade-Surgeon-Lieutenant-Colonel William Pleace Warburton, M.D., with effect from the 17th January 1894, *vice* Surgeon-Colonel G. C. Chesnaye, retired.

VOLUNTEER CORPS.

RESIGNATIONS.

No. 249.—*1st Punjab Volunteer Rifle Corps*—

Captain T. E. Lander resigns his commission.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 6th March 1894.

No. 110.—With reference to Public Works Department Code, Volume I, chapter II, pgragraph 71, and Notification No. 67, dated the 13th February 1894, it is hereby notified that the entrance examination qualifying for admission to the Superior Accounts Branch of the Public Works Department will be held this year from the 19th to the 23rd November, inclusive.

The 9th March 1894.

No. 112.—With reference to Public Works Department Code, Volume I, chapter II, paragraph 65, Mr. C. Muirhead, class III, grade 3, Traffic Department, of the Superior Revenue Establishment of State Railways, is temporarily transferred to the Superior Accounts Branch as a Deputy Examiner, class II, on probation, and is posted to the Office of the Examiner of Public Works Accounts, Punjab.

No. 114.—Mr. H. W. V. Colebrook, Executive Engineer, 1st grade, Punjab, is transferred to Burma.

No. 115.—Mr. F. W. Schönemann, Assistant Engineer, 2nd grade, Punjab, is transferred to Assam.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

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LAHORE, THURSDAY, MARCH 22, 1894.

PART II.

Republications from the "Gazette of India.

FROM THE "GAZETTE OF INDIA", DATED MARCH 17, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 12th March 1894.

No. 550-*M.*—In modification of Military Secretary's Office Notification No. 453-M., dated the 6th March 1894, it is hereby notified that His Excellency the Viceroy and Governor-General will leave Calcutta for Simla on Friday, the 30th idem, at 5-3 P. M. (*Calcutta time*).

His Excellency will visit *en route* Lucknow and arrive at Simla on Monday, the 9th April 1894, at 2 P. M.

All covers intended to reach his Excellency the Viceroy and Governor-General during His Excellency's journey should be addressed "Governor-General's Camp," without the addition of any Post-town.

The party accompanying His Excellency on tour is as follows :—

1. Her Excellency the Countess of Elgin.
2. Miss Bruce.
3. H. Babington Smith, Esquire, Private Secretary to the Viceroy.
4. Lieutenant-Colonel A. G. A. Durand, C B., Military Secretary to the Viceroy.
5. Surgeon-Lieutenant-Colonel B. Franklin, Surgeon to the Viceroy.
6. Lieutenant S. H. Pollen, Aide-de-Camp to the Viceroy.
7. Lieutenant F. L. Adam, Aide-de-Camp to the Viceroy.
8. Lieutenant R. G. T. Baker-Carr, Aide-de-Camp to the Viceroy.
9. F. W. Latimer, Esquire, Registrar, Private Secretary's Office.

All communications connected with business of a mere routine nature should be sent, as usual, to the Head-Quarters of the several Departments.

By Command,

A. DURAND, *Lieut-Colonel,*

Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 16th March 1894.

No. 532.—In exercise of the powers conferred by Section 17 of the Indian Arms Act (XI of 1878), the Governor-General in Council is pleased to direct that the following clause shall be added to the conditions printed on the back of Forms VI, VII, VIII, IX, X and XI of the forms of licenses prescribed by Home Department Notification No. 518, dated the 6th March 1879, as amended by the Notifications marginally noted :—

No. 856, dated the 30th April 1879.
No. 2100, dated the 23rd December 1881.
No. 2443, dated the 19th December 1889.
No. 846, dated the 19th June 1893.

This license does not authorize the licensee to possess Government arms or ammunition.

Explanation.—A "Government arm" is a fire-arm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

EXAMINATIONS.

The 12th March 1894.

No. 89.—In continuation of the Notification of the Home Department, No. 380, dated the 27th October 1893, Rule 1 of the Regulations respecting the next Examination of candidates for the Civil Service of India is published below for general information :—

1. On the 1st August 1894, and following days, an examination open to all qualified persons will be held in London (*a*). Not fewer than 60 persons will be selected, if so many shall be found duly qualified, *viz.*, 14 for the Lower Provinces of Bengal (including Assam); 25 for the Upper Provinces of Bengal (including the Punjab, Oudh and the Central Provinces); 6 for Burma; 8 for Madras; and 7 for Bombay (*b*).

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 16th March 1894.

FURLOUGH AND LEAVE.

No. 265.—The undermentioned officers have been granted extensions of furlough or leave by the Secretary of State for India :—

* * * * * * * *

Lieutenant-Colonel A. S. Roberts, General List, Infantry, Deputy Commissioner, 1st grade, Punjab, (m. c.) for six months.

* * * * * * * *

PROMOTIONS.

No. 269.—The following promotions are made, subject to Her Majesty's approval :—

INDIAN STAFF CORPS.

Lieutenants to be Captains.

Dated 10th March 1894.

Arthur Henry McMahon, C. I. E.

* * * * *

(*a*). An order for admission to the examination will be sent to each candidate on the 18th July 1894.
(*b*). For the method of distribution, *see* No. 1 of the announcements on page 3 of the Rules published with the Notification quoted above.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 277.—*1st Punjab Volunteer Rifle Corps*—

Honorary Lieutenant and Quartermaster William Edwin Browne, to be Captain, *vice* Lander, resigned.

RESIGNATIONS.

No. 280.—*2nd Punjab (Simla) Volunteer Rifles Corps*—

Captain J. F. Whyte (Indian Staff Corps) resigns his commission.

E. H. H. COLLEN,

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED MARCH 17, 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

Extract from the Proceedings of the Government of India in the Department of Revenue and Agriculture, No. $\frac{171}{9}$ M. & E., dated Calcutta, the 8th March 1894.

MUSEUMS AND EXHIBITIONS.

NOTICE of the Working-men's International Exposition to be held at Milan in November 1894:—

This Exposition will comprise three general classes—*Work, Prevision* and *Instruction.*

I.—Work.

1. Products of individual workers :—
   (*a*) Independent workers ;
   (*b*) Small industries ;
   (*c*) Household work.
2. Products of collective work :—
   (*a*) Products of Co-operative Societies of workmen ;
   (*b*) Products of workmen employed in offices.

II.—Prevision.

1. Societies for mutual aid and improvement, Trades Unions.
2. Chamber of Industry and libre institutions.
3. Workmen's Co-operative Society.
4. Institutions and means of insurance against accidents.
5. Institutions, models, studies and materials for showing how working people live, eat, dress, &c., in the city and in the country in different countries.
6. Hygiene.
7. Bibliography relative to workmen of the city and country.

III.—Instruction.

1. Industrial Schools.
2. Professional Schools for workmen.
3. Educational Institutions for workmen (Clubs, Libraries, recreations, &c.).
4. Bibliography.

Applications should be addressed to the Committee in Milan, Rastrelli Street, by the 30th November next at latest, with a description of the proposed exhibit and the space required.

The Committee will furnish applicants with the special programmes, regulations, &c., relating to the Exhibition and with information regarding space, position, expenses of transport, and customs.

ORDERED that the Notice be published for general information in the Supplement to the *Gazette of India*

[True Extract.]

M. FINUCANE,

Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 29, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA", DATED MARCH 17, 1894.

MILITARY DEPARTMENT.

Fort William, the 16th March 1894.

RETIREMENTS.

No. 275.—Lieutenant-Colonel Robert Bartholomew, General List, Cavalry, Deputy Commissioner, 1st Grade, Punjab, has been permitted by the Secretary of State for India to retire from the service, with effect from the 2nd April 1894, subject to Her Majesty's approval.

E. H. H. COLLEN,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED MARCH 24, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

MEDICAL.

Calcutta, the 22nd March 1894.

No. 169.—The services of Surgeon-Captain W. R. Clark, M.B., I.M.S. (Bengal), are replaced at the disposal of the Government of the Punjab, with effect from the 13th March 1894.

SANITARY.

The 22nd March 1894.

No. 76.—The services of Brigade-Surgeon-Lieutenant-Colonel A. Stephen, M.B., Sanitary Commissioner, Punjab, are placed temporarily at the disposal of the Military Department, with effect from the 4th March 1894.

No. 78.—Surgeon-Lieutenant-Colonel W. A. C. Roe is appointed to officiate as Sanitary Commissioner of the Punjab during the absence on deputation of Brigade-Surgeon-Lieutenant-Colonel A. Stephen, M.B., or until further orders, with effect from the 4th March 1894.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENT.

Calcutta, the 22nd March 1894.

No. 1488-*P.*—Mr R. E. Hamilton, Comptroller, India Treasuries, is provisionally appointed Accountant-General, Punjab, with effect from such date as he may assume charge of that office.

Mr. G. H. R. Hart is appointed Comptroller, India Treasuries, *vice* Mr. Hamilton.

J. F. FINLAY,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 5, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 31, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 27th March 1894.

No. 648.—Under the provisions of Section 9 of the Statute 24 and 25 Vict., Cap. 67, the Governor-General in Council is pleased to direct that His Excellency's Council shall assemble at Simla, in the jurisdiction of the Lieutenant-Governor of the Punjab.

MEDICAL.

The 28th March 1894.

No. 180.—Surgeon-Captain R. H. Charles, M. D., M. Ch., F.R.C.S.I., Professor of Anatomy in the Lahore Medical College, is appointed to be Professor of Surgical and Descriptive Anatomy in the Medical College, Calcutta, and *ex-officio* Second Surgeon to the College Hospital, *vice* Surgeon-Lieutenant-Colonel J. O'Brien.

The 29th March 1894.

No. 182.—Surgeon-Colonel G. C. Ross, at present officiating as Administrative Medical Officer and Sanitary Commissioner, Central Provinces, is confirmed in that appointment, with effect from the 1st January 1894.

No. 190.—Surgeon-Captain J. C. Lamont, M.B., I.M.S., (Bengal), Civil Surgeon of Dhubri, Assam, is appointed to be Professor of Anatomy in the Lahore Medical College, with effect from the 1st April 1894, or the subsequent date on which he may assume charge of his duties.

JAILS.

The 29th March 1894.

No. 173.—The Governor-General in Council is pleased, under Section 33 of Act V of 1871, as amended by Section 2 of Act IX of 1882, to appoint the Montgomery Central Jail to be a place to which persons sentenced to transportation may be sent.

JUDICIAL.

The 30th March 1894.

No. 365.—Sir H. M. Plowden, Kt., Barrister-at-Law, Senior Judge of the Chief Court, Punjab, is permitted to resign his appointment, with effect from the date on which he may relinquish charge of his duties.

No. 366.—Under the provisions of Section 4 of the Punjab Courts Act, 1884, the Governor-General in Council is pleased to make the following appointments with effect from the date of the retirement of Sir H. M. Plowden :—

Mr. H. T. Rivaz, Barrister-at-Law, temporary Additional Judge of the Chief Court, Punjab, to be a Judge of that Court.

Mr. A. W. Stogdon, I.C.S., at present officiating as a Judge of the Chief Court, Punjab, during the absence, on furlough, of Mr J. Frizelle, I C.S., to be Additional Judge temporarily, until further orders, *vice* Mr. H. T. Rivaz.

Babu Protul Chandar Chatterji, Rái Bahádur, to officiate as a Judge of the Chief Court, Punjab, during the absence, on furlough, of Mr. J. Frizelle, or until further orders.

No. 367.—Under the provisions of Section 4 of the Punjab Courts Act, 1884, the Governor-General in Council is pleased to appoint Mr. F. C. Channing, I.C.S., to officiate as a Judge of the Chief Court, Punjab, during the absence, on special leave, of Mr. A. H. Benton, I.C.S., or until further orders.

C. J. LYALL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

EMIGRATION.

Calcutta, the 27th March 1894.

No. 756-29.—The following draft of a proposed amendment of the rules under the Indian Emigration Act (XXI of 1883) is published under Section 81 of that Act for the information of persons likely to be affected thereby, and notice is hereby given under that Section that the draft will be taken into consideration by the Governor-General in Council after the expiry of one month from this date.

2. Any objection or suggestion which may be made by any person with respect to the draft before that date will be received and considered by the Governor-General in Council.

Draft of proposed amendment.

In the heading of column 15 of Form No. 4 appended to Rule 13 and of column 14 of Forms Nos. 5 and 10 appended to Rules 26 and 52 respectively of the Rules relating to Colonial Emigration made under Section 80 of the Indian Emigration Act (XXI of 1883) the words " and residence " shall be inserted.

M. FINUCANE,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 30th March 1894.

ORGANIZATION.

MOBILIZATION.

No. 308.—With the approval of the Right Hon'ble the Secretary of State for India, the Governor-General in Council is pleased to direct the publication of the following regulations for the Indian Army Reserve of Officers:—

INDIAN ARMY RESERVE OF OFFICERS.

Retired Officers not liable to further service, Volunteers, Civil Officers, and Private Gentlemen.

1. The following officers and gentlemen may be granted commissions as officers of the Indian Army Reserve :—

For Infantry.

(a) Officers who having retired from Her Majesty's Indian Military Forces are not liable for further service.

(b) Officers who having retired from Her Majesty's other Regular Forces are not liable to recall to military service under War Office rules.

(c) Indian Volunteers, except soldiers on the Unattached List.

(d) Officials other than Military Officers in the service of the Government in India.

(e) Private gentlemen residing in India.

For Cavalry.

Any of the above who are serving in mounted corps.

Officers thus commissioned shall, during their employment on army service, have and exercise the authority of officers of corresponding rank in Her Majesty's Regular Forces (but junior in each grade), with respect to any of Her Majesty's Regular Forces in India.

OFFICERS RETIRED FROM THE ARMY.

2. An Officer who was retired from Her Majesty's Regular Forces in India, without liability for further service, shall be eligible for appointment as—

a Field Officer up to the age of 45 years;

Captain up to the age of 40 years;

Lieutenant or Second-Lieutenant up to the age of 35 years;

and may be granted a commission as an Indian Army Reserve Officer in a rank not higher than that in which he retired.

No such officer will be eligible for employment after the age of 57.

INDIAN VOLUNTEERS, CIVIL OFFICIALS IN THE SERVICE OF THE GOVERNMENT OF INDIA AND PRIVATE GENTLEMEN.

3. A commission as Second-Lieutenant may be given to any gentleman fulfilling the conditions of clauses (c), (d), (e), of paragraph 1 up to the age of 30 years: provided—

(a) that he is recommended for a commission by the Local Government, and

(b) that he has obtained a certificate of proficiency such as is granted to a Captain of Volunteer Forces in India, for which purpose, if not an officer of Indian Volunteers, he may be attached to a Volunteer corps in India and appear before a board of Officers under Army Regulations, India, Volume IX, Section V; or that he shall, after being attached to

a regiment or battalion of the Regular Forces for a period of not less than one month, satisfy a board of officers composed as directed in Army Regulations, India, Volume II, paragraph 1312, and the Queen's Regulations, 1892, Section IX, paragraph 19, that he possesses a satisfactory amount of military knowledge for the rank of Lieutenant.

General Regulations.

4. Commissions will be issued to officers of the Indian Army Reserve when they are actually called up for service. If, however, an officer desires it, his commission may be prepared and issued at any time on payment of the stamp duty of thirty shillings.

5. Commissions will not be granted to candidates who are not medically fit for service or whose character and qualifications are not satisfactory, but the limitation as to age and the qualifications prescribed may, subject to the approval of Her Majesty, be dispensed with in cases where the Governor-General in Council may, on the recommendation of the Commander-in-Chief in India, consider that the exigencies of the service rendered it desirable that those provisions should not be enforced.

6. The name of every officer shall be borne on one of two special lists, one for Cavalry and one for Infantry, from which Subalterns and Captains shall be removed at the age of forty-five years, Majors at the age of fifty years, Lieutenant-Colonels at the age of fifty-five years, and the Colonels at the age of fifty-seven years; unless the Governor-General in Council, on the recommendation of the Commander-in-Chief in India, shall in any particular case consider that the exigencies of the service render it desirable that this rule should not be enforced.

7. Officers of the Indian Army Reserve of proved merit in the field may, under special circumstances, be recommended to Her Majesty for commissions in the Regular Army.

8. Officers desirous of resigning the Indian Army Reserve must, if in India, submit their applications to the Local Government, and, if residing out of India, to the Secretary of State for India.

9. The Governor-General in Council may at any time dispense with the services of an officer, subject to the approval of Her Majesty the Queen.

10. Officers of the Indian Army Reserve who desire to proceed out of India for any longer period than six months must submit their applications for leave of absence to the Local Government in whose territories they may be residing, or to the Government of India if employed in any department directly subordinate to that Government.

Employment on Army Service.

11. All Officers of the Indian Army Reserve shall be liable to be called to army service in time of emergency by general or special notification in the *Gazette of India.*

12. Any such officer may, with his own consent and on the recommendation of the Commander-in-Chief in India, be recalled to army service at any time by special notification in the *Gazette of India.*

13. An officer called to army service may be employed in the Indian Army regimentally, or on the army staff, or in any department, and shall, on being called to army service,—

(*a*) if appointed to a corps, have no claim arising out of his rank to any appointment in such corps, except such as he may be nominated to by competent authority :

(*b*) if appointed to a department, be placed at the bottom of the lowest grade of that department: Provided that an ex-departmental staff officer re-appointed to the same department shall be posted to the grade in which he last served, and that the head of the department shall with the approval of the Government of India have power, under exceptional circumstances, to appoint an officer to any grade which he may consider to be best in the interests of the service.

14. Officers called to army service shall rank among themselves according to the dates of their respective commissions, but junior in their rank to officers who have retired from the Indian Army with liability for further service.

15. An officer belonging to the Volunteer Forces shall, while on army service, be borne as a supernumerary to the establishment of the regiment of Volunteer Forces to which he belongs.

Promotion.

16. An officer shall at any time be eligible for promotion.

17. Promotion to a Lieutenancy will be given by the Governor-General in Council, subject to Her Majesty's approval, after a service of not less than three years as a Second-Lieutenant and on the recommendation of the Commander-in-Chief in India or the Local Government.

Declaration.

18. Every officer before receiving a commission will be required to make a declaration before a Magistrate in the following form :—

"I, the undersigned, hereby promise and declare that I will serve Her Majesty the Queen, Empress of India, her heirs and successors, as an officer of the Indian Army Reserve of Officers, until my resignation shall be accepted, and, if I am called to army service, be accepted by notification in the *Gazette of India*, and that I will serve in any part of India or in any other place in which any portion of Her Majesty's Indian Forces may be serving and in any branch or department of the service to which I may be appointed.

Signed this day of 18 ."

Witness.

19. Applicants for commissions may state the branch or department of the Army in which they would prefer to be employed in the event of their being called out for service. These wishes will be recorded, and will, as far as the exigencies of the service may permit, be considered in appointing the officers to corps and departments.

Pay, Pensions, Gratuities, Passages.

20. Officers shall be entitled to receive, from the date of the notification in the *Gazette of India* calling them to army service, to the date on which they cease to be employed on army service, the same rates of pay and allowances as officers of the Indian Army of corresponding rank and holding similar appointments in the same branch or department of the service. In the case of officers residing out of India, the pay and service will be held to commence from the date of landing in India.

21. Officers shall also be entitled to free passage from and to their homes, in India or elsewhere, when called out and when no longer required for army service.

22. An officer who has been called to army service, and whose services are no longer required, shall, unless his services have been dispensed with for misconduct, be entitled to three months' full pay and allowances of the appointment in which he was last serving, reckoned from the date on which he ceased to be employed on army service.

23. Officers shall, while on army service, be entitled to the same advantages, as regards pensions for wounds, as may be accorded by Army Regulations, India, Volume I, Part I, to officers of the same rank of the regular forces. They shall also be entitled to receive medals, batta, and compensation for losses on the same scale as officers of the Regular Forces of corresponding rank.

24. The widows and children of officers called to service, under paragraphs 11 and 12, and dying while on army service, shall have the same rights in regard to pensions and compassionate allowances as may be accorded by the Royal Warrant in force for the time being to the widows and children of officers of the Regular forces.

Special Rules for Cavalry Reserve Officers appointed under Rule I.

25. (A) Officers of the Native Cavalry Reserve will be required, until they attain the age of 40, to attend the Head-Quarters of the Native Cavalry regiment most conveniently placed with respect to their homes for an annual training of 14 days, which at their own request may be extended up to two months. Such training will be accepted as qualifying for the capitation grant in the Volunteer Corps to which the officers belong. The details of attendance will be arranged by General Officers Commanding the districts to which the Volunteer Corps belong, in communication with the districts in which the training is to be undergone.

(B) The rank of these officers while going through their annual training will be that held by them in the Indian Army Reserve, irrespective of any rank they may hold in their Volunteer Corps. During the actual period of training they will receive pay at the rate of Rs. 10 per diem, and free passage by rail from and to their homes for themselves, one charger, and one personal servant.

(C) Officers on attaining the age of 40 will not be required to undergo further training, nor will they be liable to be called up for active service except in cases of emergency. They will, however, remain in the Reserve subject to retirement at the ages and under the conditions laid down in Rule 6.

(D) Officers detailed to serve with a regiment of Native Cavalry in the field will be required to join with one charger. A second charger and if necessary saddlery will be provided on loan by Government, or on payment, subject to repurchase by Government at a valuation. They will receive Staff Corps rates of pay and staff pay as squadron officers from date of leaving their station to join. They will rank among themselves according to the date of their commissions as Lieutenants, those not already promoted to that rank being so promoted on joining.

Uniform.

26. Officers, as officers of the Indian Army Reserve, are not required to provide themselves with any uniform until their services are actually required.

They are, however, authorised, when not actually in performance of duty with the Volunteer Forces, or in a Government Department for which a special uniform is prescribed, to wear the following uniform :—

(A) *Tunic.*—Scarlet cloth, with blue cloth collar and cuffs. The collar ornamented with ½ inch lace along the top, and gold Russia braid at the bottom, the cuffs pointed with ½ inch lace round the top, and a tracing of good Russia braid ¼ inch below the lace, terminating in a crow's foot and eye; eight buttons in front and two at the waist behind; the skirt closed behind with a plait at each side, and lined with white; the front, collar and skirt plaits edged with white cloth, ¼ inch wide; shoulder-straps of twisted round gold cord, universal pattern, lined with scarlet, a small gilt button at the top, badges of rank in silver, the letters "I. A. R." in silver or silver embroidery will be worn below the badges of rank.

Field Officers have a row of braided eyes below the lace on the collar; three bars of lace along the top of the cuff, showing ¼ inch of the facings between the bars; and the braiding on the sleeve is in the form of eyes below the lace for Colonels and Lieutenant-Colonels only. The lace on the sleeve extends to ten inches from the bottom of the cuff.

Captains have no braided eyes on the collar, and only two bars of lace along the top of the cuff; the tracing of the braid below the lace on the sleeves is plain without eyes.

Lieutenants have one bar of lace only on the cuff, extending to 9½ inches from the bottom of the cuff. In other particulars the lace and braiding are the same as those of Captains.

Second-Lieutenants.—As for Lieutenants but without badges of rank.

Lace.—Gold, two-vellum pattern.

Buttons.—Gilt, burnished, with crown and scalloped edge.

Waist-plate.—Round gilt clasp, with Royal Cypher and crown on the centre piece, and the words "Indian Army Reserve" on the outer circle.

Helmet.—As worn by Infantry officers in India.

Puggrie.—White Muslin.

Forage cap.—As for infantry of the line, with Royal Cypher and crown embroidered in gold in front.

All the other articles of uniform as for officers of infantry of the line, but with the letters "I. A. R." on the shoulder-straps in gilt metal or in gold embroidery on garments for which cloth or serge straps are authorized.

(B) An officer retired from the army may wear the uniform of his late rgiment.

(C) Officers of the Native Cavalry reserve called up for training under Rule 25-A. will wear the uniform of the Volunteers Corps to which they belong.

27. When called to army service, all officers of the Indian Army Reserve, if not already in possession of khaki uniform, will be required to provide themselves with a field service uniform of the pattern prescribed for the corps or department to which they may be appointed for duty.

PROMOTIONS.

No. 309.—The following promotions are made, subject to Her Majesty's approval :—

INDIAN STAFF CORPS.

Captains to be Majors.

26th March 1894.

* * * * * * *

Charles John Dennys.

* * * * * * *

MEDICAL DEPARTMENT.

No. 310.—Brigade-Surgeon-Lieutenant-Colonel A. Stephen, Indian Medical Service, Bengal Establishment, is granted the temporary rank of Surgeon-Colonel while officiating as Principal Medical Officer and Sanitary Commissioner, Assam, *vice* Surgeon-Colonel W. P. Warburton appointed Officiating Inspector-General, Civil Hospitals, North-Western Provinces and Oudh, with effect from the 8th March 1894.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 26th March 1894.

No. 151.—With reference to Government of India, Public Works Department, Notification No. 143, dated the 12th April 1893, it is hereby notified that the entrance examination qualifying for admission to the Superior Traffic Department of State Railways will be held this year from the 19th to the 23rd November, inclusive.

The 27th March 1894.

No. 152.—Lieutenant-Colonel J. W. Ottley, C.I.E., R. E., Chief Engineer and Secretary to the Government of the Punjab in the Public Works Department, Irrigation Branch, is appointed to officiate as Inspector-General of Irrigation and Deputy Secretary to the Government of India in the Public Works Department, during the absence, on privilege leave, of Colonel F. J. Home, C.S.I., R.E., or until further orders.

No. 153.—With reference to Public Works Department Notification No. 152, dated 27th March 1894, Mr. T. Higham, Superintending Engineer, 1st Class, is appointed to officiate as Chief Engineer and Secretary to the Government of the Punjab in the Public Works Department, Irrigation Branch, *vice* Lieutenant-Colonel J. W. Ottley, C.I.E., R. E., or until further orders.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 12, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 7, 1894.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 6th April 1894.

No. 161.—The services of Mr. E. P. Henderson, Indian Civil Service, Government Advocate, Punjab, on special duty under the Government of India in the Public Works Department, are replaced at the disposal of the Government of the Punjab with effect from the afternoon of the 14th April 1894.

No. 163.—Mr. G. S. Morley, Executive Engineer, 2nd Grade, Punjab, is transferred to Hyderabad.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 19, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 14, 1894.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 12th April 1894.

No. 702.—The relative rank of officers of the Royal Indian Marine having been determined by Her Majesty's Orders in Council, dated the 20th March and 30th July 1891, clauses (1) and (2) of Section (*a*) of Home Department Notification No. 26, dated the 8th January 1884, are hereby cancelled. The entries of "Commanders of the Indian Marine" in the second class and of "First Grade Officers of six years' seniority and Chief Engineers of the Indian Marine" in the third class of the supplementary graded list of civil offices not reserved for members of the Indian Civil Service, appended to the Warrant of Precedence for India, will accordingly be deleted from that list.

C. J. LYALL,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 11th April 1894.

No. 526-*G.*—Mr. A. Williams, Indian Civil Service, Under-Secretary to the Government of the Punjab, is appointed to be a Political Agent of the 3rd Class with effect from the 15th March 1894. Mr. Williams will continue to officiate as Under-Secretary to the Government of India, in the Foreign Department.

H. M. DURAND,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 19th April 1894.

No. 1992-*P*.—Mr. Chuni Lál is posted as Assistant Accountant-General, Punjab, with effect from 30th March 1894.

STEPHEN JACOB,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

FURLOUGH AND LEAVE.

Simla, the 20th April 1894.

No. 358.—The undermentioned officer is granted leave out of India under article 704, Army Regulations, India, vol. I, part I :

Surgeon-Colonel J. Cleghorn, M.D., Inspector-General of Civil Hospitals, Punjab, (p. a.) for eight months.

P. J. MAITLAND,

for ***Secretary to the Government of India.***

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 3, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA", DATED 28TH APRIL 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 26th April 1894.

No. 1092-*M.*—His Excellency the Viceroy and Governor-General will hold a Levée at Viceregal Lodge, Simla, at 9-45 P. M. on Saturday, the 26th May 1894.

All Civil and Military Officers and the Native Officers of the Detachment of the 2nd Battalion, 4th Gurkhas, are invited to attend.

All Officers and Gentlemen attending the Levée are requested to bring with them two cards, with their names legibly written thereon—one card to be delivered on entering Viceregal Lodge, and the other to the Aide-de-Camp in waiting at the time of presentation.

Gentlemen who have not already been presented at the Court of St. James or at the Viceregal Court are requested to send their names and addresses to the Aide-de-Camp in waiting not later than Monday, the 14th May 1894; and, when attending the Levé, to have the names of those Gentlemen who are to present them also written on their cards. Gentlemen presenting others should themselves attend the Levée.

Gentlemen wearing uniform will appear in full dress.

Gentlemen not entitled to wear uniform will appear in evening dress.

By Command,

A. DURAND, *Lieut-Colonel,*

Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the 27th April 1894.

No. 783.—The Birthday of Her Majesty the Queen, Empress of India, will be kept in India on Saturday, the 26th May 1894.

the following rule, which it is proposed to substitute for Rule 20 of the above rules, is published for general information, in accordance with the provisions of Section 37, sub-section 1, of the aforesaid Act.

The draft will be taken into consideration on the expiration of two months from the date of this Notification :

" 20. Every Registrar-General and every Registrar who is a Government servant and not a Minister of Religion shall keep a register in the form set forth in Schedule L of all fees realized under these rules, and shall forward such fees at the end of each month to the nearest treasury to be credited to Government. The Treasury Officer shall give each Registrar a certificate of the amount so credited, and the Registrar shall send a copy of the certificate to the Registrar-General. Registrars who are not Government servants or who are Ministers of Religion may retain for their own use any fees which they may realize under these rules."

C. J. LYALL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

FORESTS.

Simla, the 3rd May 1894.

No. 443 *F.*—In consequence of the death of Mr. R. H. C. Whittall, Conservator of Forests, 2nd Grade, Punjab—

Mr. A. E. Wild, Conservator, 3rd (officiating 2nd) Grade, is confirmed in the 2nd Grade.	With effect from 23rd February 1894.
Mr. P. J. Carter, Conservator, 3rd Grade, Pegu Circle, Lower Burma, is appointed to officiate in the 2nd Grade.	
Mr. J. A. McKee, Deputy Conservator, 1st Grade, Central Provinces, and Officiating Conservator, 3rd Grade, is confirmed in the latter grade.	

Mr. E. Forrest, Deputy Conservator, 2nd Grade, Punjab, officiated as Conservator, 3rd Grade, in charge of the Punjab Forest Circle, from 26th February to 31st March 1894, both dates inclusive.

Mr. C. F. Elliott, Deputy Conservator, 1st Grade, Balúchistán, is appointed Officiating Conservator, 3rd Grade, Punjab, with effect from 1st April 1894, and until further orders.

Mr. A. M. Reuther, Deputy Conservator, 3rd Grade, Punjab, is transferred temporarily to Balúchistán, *vice* Mr. Elliott, with effect from 26th March 1894.

No. 459 *F.* * * * * *—Mr. F. B. Dickinson, Deputy Conservator, 1st Grade, Central Provinces, is appointed, on return from the furlough granted him in the Notification of this Department, No. 339-F., dated 17th March 1893, to officiate as Conservator, 3rd Grade, in charge of the Eastern Forest Circle, Upper Burma, with effect from 9th April 1894, and until further orders.

* * * * * * *

E. C. BUCK,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 17, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 12TH MAY 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 11th May 1894.

No. 507-F.—The services of Colonel J. C. Doveton, M.S.C., Conservator of Forests, Southern Circle, Central Provinces, are replaced at the disposal of the Military Department, with effect from the 10th April 1894.

E. C. BUCK,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 5th May 1894.

No. 191.—Mr. E. S. Farrant, Executive Engineer, 2nd Grade, Punjab, has been permitted to retire from the service of Government under the provisions of Government of India, Public Works Department, Resolutions Nos. 2873-G. and 463-G., dated the 2nd November 1893 and the 9th February 1894 respectively, with effect from the afternoon of the 21st April 1894.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 24, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 19, 1894.

MILITARY DEPARTMENT.

Simla, the 18th May 1894.

APPOINTMENTS.

MEDICAL DEPARTMENT.

No. 459.—Surgeon-Colonel W. P. Warburton, Indian Medical Service, Bengal establishment, is confirmed in the appointment of Principal Medical Officer and Sanitary Commissioner, Assam, with effect from the 17th January 1894, *vice* Surgeon-Colonel C. P. Costello, retired.

LONDON GAZETTE.

No. 472.—The following extracts are published for general information:
"London Gazette," dated the 24th April 1894, pages 2321 and 2322.

INDIA OFFICE,
24th April, 1894.

The Queen has approved of the following promotions among the officers of the Indian Medical Services, made by the Governments in India:

* * * * * *

BENGAL SUBORDINATE MEDICAL ESTABLISHMENT.

Senior Apothecary, second Grade, ranking as Honorary Lieutenant, James Barker, to be Senior Apothecary, first grade. Dated 29th August 1893.

* * * * * *

The Queen has also approved of the retirement from the service of the under-mentioned officers:

* * * * * *

Lieutenant-Colonel Robert Bartholomew, Bengal Cavalry. Dated 2nd April 1894.

* * * * * *

PROMOTIONS.

No. 473.—The following promotions are made, subject to Her Majesty's approval:

PUBLIC WORKS DEPARTMENT.

No. 474. * * * * *

Conductor Robert Straughan, sub-engineer, 2nd grade, Punjab Irrigation, to be Deputy Assistant Commissary and to have the honorary rank of Lieutenant, subject to Her Majesty's approval.

* * * * * *

P. J. MAITLAND,

for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 17th May 1894.

No. 207.—Mr. H. L. Hebbert, Executive Engineer, 2nd grade, Punjab, has been permitted to retire from the service of Government under the provisions of Government of India, Public Works Department, Resolutions Nos. 2873-G. and 463-G., dated the 2nd November 1893 and the 9th February 1894, respectively, with effect from the forenoon of the 1st May 1894.

The 18th May 1894.

No. 212.—Mr. O. V. Yates, Executive Engineer, 2nd Grade, Punjab, has been permitted to retire from the service of Government under the provisions of Government of India, Public Works Department, Resolutions Nos. 2873-G. and 463-G., dated the 2nd November 1893 and the 9th February 1894, respectively, with effect from the afternoon of the 27th April 1894.

No. 213.—Mr. J. T. Boase, Executive Engineer, 2nd grade, Punjab, has been permitted to retire from the service of Government under the provisions of Government of India, Public Works Department, Resolutions Nos. 2873-G. and 463-G., dated the 2nd November 1893 and the 9th February 1894, respectively, with effect from the afternoon of the 1st May 1894.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 31, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 26, 1894.

INDIAN EMPIRE.

NOTIFICATION.

Simla, the 26th May 1894.

No. 36 *I. E.*

His Excellency the Grand Master of the Most Eminent Order of the Indian Empire is pleased to announce that Her Majesty the QUEEN, EMPRESS OF INDIA, has been graciously pleased to make the following appointments to the said Order:—

To be Companions.

* * * * *

TIKA RAGHNATH SINGH, Heir-apparent and Administrator of the Hill State of Bashahr in the Punjab.

* * * * *

By Order of the Grand Master,

W. J. CUNINGHAM,

Secretary to the Most Eminent Order of the Indian Empire.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th May 1894.

No. 1801-*I.*

His Excellency the Viceroy and Governor-General is pleased to confer upon His Highness Farzand-i-Arjumand Akidat Páiwand Daulat-i-Inglishia Barar Bans Sarmúr Rája Sir Hira Singh Malwandar Bahádur, G.C.S.I., of Nábha, the title of Rája-i-Rájagán as an hereditary distinction.

No. 1804-*I*.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Bahádur as a personal distinction upon—

* * * * * *

Munshi Aurangzeb Khán, Officiating Extra Assistant Commissioner in the Punjab.

Ramzán Khán, Joint Tumandar of the Ustarána tribe on the frontier of the Dera Ismail Khán District in the Punjab.

* * * * *

Sardár Wali Muhammad Khán, Bakhshi of the forces of the Nábha State.

* * * * *

No. 1806-*I*.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Rái Bahádur as a personal distinction upon—

* * * * *

Lála Búta Mal, Sahgal, Extra Judicial Assistant Commissioner in the Punjab.

Rái Maya Dás, Extra Assistant Commissioner in the Punjab.

* * * * *

No. 1807-*I*.

His Excellency the Viceroy and Governor-General is pleased to confer upon Sardár Ganda Singh, C.S.I., Bakhshi of the forces of the Patiála State, the title of Sardár Bahádur as a personal distinction.

W. J. CUNINGHAM,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

FOREST

Simla, the 25th May 1894.

No. 564 *F.*—With reference to the Notification of this Department, No. 507-F., dated the 11th May 1894, replacing the services of Colonel J. C. Doveton, I.S.C., Conservator of Forests, 1st grade, Southern Circle, Central Provinces, at the disposal of the Military Department, with effect from the 10th April 1894:

Mr. C. Bagshawe, Conservator, 2nd grade, Berar, is promoted to the 1st grade.

Mr. R. H. E. Thompson, Conservator, 3rd (officiating 2nd) grade, Northern Forest Circle, Central Provinces, is confirmed in the 2nd grade.

} With effect from 10th April 1894.

* * * * *

E. C. BUCK,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 25th May 1894.

VOLUNTEER CORPS.

APPOINTMENT.

No. 507.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Lieutenant-Colonel (Honorary Colonel) William Sinclair Smith Bisset, C.I.E., Royal Engineers, to be Lieutenant-Colonel Commandant, *vice* Sir H. M. Durand, K.C.S.I., K.C.I.E., resigned.

RESIGNATION.

No. 515.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Lieutenant-Colonel Sir Henry Mortimer Durand, K.C.S.I., K.C.I.E., Commandant, resigns his commission, with effect from the 14th April 1894.

P. J. MAITLAND,

for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 23rd May 1894.

No. 217.—The Governor-General in Council is pleased to order the following promotions and reversions in and to the classes of Chief and Superintending Engineers, with effect from the dates specified :—

Names	From	To	Nature of promotion.	With effect from
* * *	* * *	* * *	* *	* *
Marshall, Lieutenant-Colonel G. F. L., C.I.E., R.E.	Chief Engineer, 2nd Class	Chief Engineer, 1st Class.	Temporary ...	7th April 1894.
* * *	* * *	* * *	* *	* *
Preston, S. ...	Superintending Engineer, 3rd Class.	Superintending Engineer, 2nd Class.	Temporary ...	8th April 1894.
* * *	* * *	* * *	* *	* *
Preston, S. ...	Superintending Engineer, 2nd Class, temporary rank.	Superintending Engineer, 3rd Class.	...	30th April 1894.
* * *	* * *	* * *	* *	* *
Marshall, Lieutenant-Colonel G. F. L., C.I.E., R.E.	Chief Engineer, 1st Class, temporary rank.	Chief Engineer, 2nd Class.	...	30th April 1894.
* * *	* * *	* * *	* *	* *

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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PART II.

Republications from the "Gazette of India"

FROM THE "GAZETTE OF INDIA," DATED 26TH MAY 1894.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 25th May 1894.

No. 223.—The following is published for general information :—

No 1693-G., dated 23rd May 1894.

RESOLUTION—By the Government of India, Public Works Department.

Conditions of promotion of Honorary Commissioned Officers to the Provincial Engineer Service of the Public Works Department.

READ—

Government of India, Public Works Department, Resolution No. 1664-G., dated 26th June 1893.

Despatch to Her Majesty's Secretary of State for India, No. 331, Financial, dated 11th October 1893.

Despatch from Her Majesty's Secretary of State for India, No. 4, Public Works, dated 11th January 1894.

RESOLUTION.—In the orders on question VI referred to in the Resolution cited in the preamble regarding promotions to the Provincial Service of the Engineer Establishment of the Public Works Department, it was stated that orders would issue hereafter regarding the promotion of Honorary Commissioned Officers to that service.

Under present rules such officers are on promotion to honorary rank in the army graded as Assistant Engineers in the Public Works Department (*vide* Public Works Code, Vol. I, Chap. II, paragraph 58), but are counted against the Upper Subordinate Scale, and their pay is regulated by the rules applicable to military men (Public Works Code, Vol. I, Chap. I, paragraph 13, note 1, and Chap. V., paragraph 41).

The Governor-General in Council is hereby pleased, with the concurrence of Her Majesty's Secretary of State for India, to order that Honorary Commissioned Officers holding the rank of Deputy Commissary, Assistant Commissary, and Deputy Assistant Commissary shall be eligible for promotion to the Provincial Engineer Establishment, but that on being so promoted at their option, they shall, like Warrant and Non-Commissioned Officers below the rank of Deputy Assistant Commissary, be required to resign their military rank under clause (3) of Article 388 of the Civil Service Regulations, and then be permitted to count their departmental service for a civil pension.

On being so promoted, they will be subject to the rules laid down in the Resolutions quoted in the margin, so far as they are applicable, and will draw the difference between the pay of the grade to which they are promoted and the staff pay and military allowances previously drawn by them as a personal allowance.

No. 2112-G., dated the 19th July 1892.
No. 1664-G., dated the 26th June 1893.

2. It should, however, be clearly pointed out to each officer who may accept promotion on these conditions that his non-departmental army service will not count for pension, and that he forfeits his right to a sterling pension under military rules, and also to a possible pension for his widow.

ORDER.—Ordered, that this Resolution be communicated to the Local Governments, Administrations, and Officers noted on the margin, for information and guidance, and that it be published in Part I of the *Gazette of India*.

The Governments of Madras and Bombay, Public Works Department, General and Railway Branches.
The Governments of Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners of the Central Provinces, Burma, Assam, and Coorg.
The Resident at Hyderabad.
The Agents to the Governor-General for Rájpútána, Central India, and Balúchistán.
The Accountant-General, Public Works Department.
The Director-General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Central Division, Lucknow, and Assam.

Ordered also, that it be forwarded to the Finance and Commerce, Home, Revenue and Agricultural, and Military Departments for information.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JUNE 2, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the 1st June 1894.

No. 987.—In exercise of the power conferred by Section 17 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to direct that the following words shall be inserted after the words "be delivered" in clause 1, rule 10, of the rules published under paragraph VI of the Notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879, as amended by the Notification of the Government of India in the Home Department, No. 865, dated 8th June 1882:—

"by the consignee or his agent, or, if the arms, ammunition, or military stores are in charge of any person travelling with them, by that person."

MEDICAL.

The 1st June 1894.

No 340.—Surgeon-Major J. Clarke, M.D., M.Ch., Civil Surgeon of Nadia, is appointed to officiate as Professor of Surgery in the Lahore Medical College during the absence of Surgeon-Major F. F. Perry, or until further orders.

C. J. LYALL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

HORSE-BREEDING AND AGRICULTURAL STOCK.

Simla, the 30th May 1894.

No. 1329—24.—Veterinary-Lieutenant-Colonel A. E. Queripel, Army Veterinary Department, Inspecting Veterinary Officer, Eastern Circle, Bengal, is appointed Inspector-General, Civil Veterinary Department, with effect from the 28th May 1894.

E. C. BUCK,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 1st June 1894.

MEDICAL DEPARTMENT.

No. 520.—With reference to G. G. O. No. 363 of 1894, it is notified that the tenure of the appointment of Surgeon-Colonel D. O'C. Raye, M.D., in the administrative grade of the Indian Medical Service, Bengal, will reckon from the 2nd April 1894.

PROMOTIONS.

No. 533.—The following promotion is made, subject to Her Majesty's approval:

MEDICAL DEPARTMENT.

To be Surgeon-Colonel.

Brigade-Surgeon-Lieutenant-Colonel Arthur Stephen, M.B., with effect from the 19th May 1894, *vice* Surgeon-Colonel J. Richardson, M. B., retired.

P. J. MAITLAND,

for *Secretary to the Government of India.*

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JUNE 2, 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

No. 2489/31.

Extract from the Proceedings of the Government of India in the Department of Revenue and Agriculture (Museums and Exhibitions),—dated Simla, the 29th May 1894.

RESOLUTION.

Read the following list of awards for India made at the Chicago Exhibition of 1893:

LIST OF AWARDS FOR INDIA.

DEPARTMENT A.—AGRICULTURE.

Group 1.—Cereals, Grasses, and Forage Plants.

Thakore Sahib Sir Jaswatsinghji Limri—Sesamum seed, mustard seed, and castor seed.

Group 4.—Potatoes, Tubers, and other Root Crops.

Thakore Sahib Sir Jaswatsinghji Limri—Peanuts.

Group 8.—Tea, Coffee, Spices, Hops, and Aromatic and Vegetable Substances.

State of Mysore—Coffee.
Harry & Co., Calcutta—Spices and sauces.
Matelli Company, Dooars—Tea.
Jalpaigoorie Company, Dooars—Tea.
Kyel Estate, Darjeeling—Tea.
Good Hope Company, Dooars—Tea.
Gurjung-Jhora Company, Dooars—Tea.
Northern Bengal Company, Dooars—Tea.
Nedeem Company, Dooars—Tea.
Ellenbarrie Estate, Dooars—Tea.
Ting Ling Company, Darjeeling—Tea.
Scottpore Company, Cachar—Tea.
Teesta Valley Company, Darjeeling—Tea.
Soom Company, Darjeeling—Tea.
Singbulli and Murmah Company, Darjeeling—Tea.
Pandam Estate, Darjeeling—Tea.
Oak's Estate, Darjeeling—Tea.
Mim Company, Darjeeling—Tea.
Long View Company, Darjeeling—Tea.
Happy Valley Estate, Darjeeling—Tea.
Gyabarree Company, Darjeeling—Tea.
Darjeeling Company, Darjeeling—Tea.
Western Cachar Company, Cachar—Tea.
Selim Company, Terai—Tea.
Second Falodhi Company, Terai—Tea.
Belgachi Company, Terai—Tea.
Pathemara Estate, Cachar—Tea.
Amgoorie Estate, Assam—Tea.
Bibnath Company, Assam—Tea.
Shakomato Company, Assam—Tea.
Tarrapore Company, Cachar—Tea.
Solabari and Malijan Estate, Assam—Tea.
Pathecherra Estate, Cachar—Tea.
Alyne Estate, Cachar—Tea.
Bengal Company, Cachar—Tea.
Tezpore and Gogra Company, Assam—Tea.
Tambulbaree Estate, Assam—Tea.
East India Company, Cachar—Tea.
Puttareah Company, Cachar—Tea.
Borelli Company, Assam—Tea.
Hathibarrie Estate, Assam—Tea.
North-Western Cachar Company, Cachar—Tea.
Larsingah Estate, Cachar—Tea.
Bicrampore Estate, Cachar—Tea.
Doolooogram Estate, Cachar—Tea.
Indian Company, Cachar—Tea.
Ohat Estate, Assam—Tea.
Moabund Company, Assam—Tea.
Scottish Assam Company, Assam—Tea.
Medhla Estate, Assam—Tea.
Greenwood Company, Assam—Tea.
North Sylhet Company, Sylhet—Tea.
South Sylhet Company, Sylhet—Tea.
Kousaine Company, Kumaon—Tea.
Kewacheira Estate, Sylhet—Tea.
Lydiacherre Estate—Tea.

Group 9.—Animal and Vegetable Fibres.

Thakore Sahib Sir Jaswatsinghji Limri—Cotton.

Inspector-General of Forests, Calcutta—Collective exhibit of textile fibres of India.

Group 12.—Malt Liquors.

Murree Brewery Company, Rawalpindi—Bottled stout.

Group 17.—Miscellaneous Animal Products—Fertilizers and Fertilizing Compounds.

Comp. Pastoril Industrial Sul. Company, Peletar—Calcined bones.

Group 18.—Fats, Oils, Soaps, Candles, &c.

Inspector General of Forests, Calcutta—Collection of oil seeds.

Conservator of Forests, Dehra Dun—Collection of oils.

Group 19.—Forestry, Forest Products.

Indian Government, Simla—Forest maps; wood-carving on ornamental wood of Burma; padouk timber from Andaman Islands.

Conservator of Forests, Simla—Assam resins and oils; minor forest products of North-Western Provinces of India; Assam timbers and teak and satin woods: Bombay—Bombay timbers; oils and resins, raw and manufactured: Madras—Timbers and sandalwood; dye and tanning woods; oil-yielding plants and resins.

Inspector-General of Forests, Simla—Wood-carving on ornamental woods.

Bombay Burma Trading Company, London—Timbers and planks of teak wood.

DEPARTMENT E.—MINES AND MINING.

Group 46—Graphite and its Products; Clays and other Fictile Materials and their Direct Products; Asbestos, &c.

Nathu Rain, Agra—Marble mosaics.

Khurj Beharilal, Agra—Marble mosaics.

Moolchund Kasiram, Surat—Carved sandalwood; mosaics.

DEPARTMENT G.—TRANSPORTATION.

Group 85.—Vessels, Boats—Marine, Lake and River Transportation.

S. J. Tellery & Co., Calcutta—Models of various water crafts.

DEPARTMENT H.—MANUFACTURES.

Group 87.—Chemical and Pharmaceutical Products—Druggists' Supplies.

Dr. D. N. Banerjee, Calcutta—Preparations from Indian indigenous herbs.

Group 90.—Furniture of Interiors, Upholstery, and Artistic Decoration.

Ardeshir and Byramji, Bombay—Ivory, ebony, and white metal inlaid in sandalwood table, cabinet, and writing desk.

F. P. Bhumgara & Co, Madras—Carved teakwood furniture.

Lockwood de Forest, Ahmedabad—Carved teakwood furniture and teakwood interior.

H. H. the Maharaja Gaekwar of Baroda—Furniture.

Group 91.—Ceramics and Mosaics.

F. P. Bhumgara & Co., Madras—Terra-cotta figures.

Group 93.—Art Metal Works—Enamels, &c.

Ardeshir and Byramji, Bombay—Brass engraved and enamelled work; silver inlaid with copper and brass from Tanjore; Cashmere and Benares copper and brass, hand chased.

F. P. Bhumgara & Co., Madras—Silver inlaid in steel; silver inlaid in copper; Jeypore brass, hand carved; Benares brass, hand carved; Cashmere enamelled work; Cashmere carved copper.

Sultan Mahomed, Cashmere—Enamel on silver.

Abdullah Khan, Cashmere—Enamel on copper; copper repoussé engraved.

Mahomed Bux, Cashmere—Enamel on copper; copper repoussé engraved.

Bawal Mistry, Jeypore—Brass repoussé.

Durga Kishur, Poona—Brass repoussé.

Cheta Ram Lakwichuna, Poona—Brass repoussé.

Gopichund, Jeypore—Brass repoussé engraved.

Gulabchund, Jeypore—Brass repoussé engraved.

Burgu Kighun, Benares—Brass repoussé engraved.

Bisseswar Prashad and Sactal Prashad, Benares—Brass repoussé engraved.

Group 96.—Carvings in Various Materials.

Ardeshir and Byramji, Bombay—Tortoise shell and buffalo; boxes set in ivory; Bombay blackwood carving; teakwood; sandalwood; carved furniture of all descriptions; screens, tables and desks; ivory carvings; bulls' horn ornaments; card trays.

F. P. Bhumgara & Co., Madras—Carved ivory sticks; teakwood screen; rosewood table inlaid with pearls; sandalwood boxes inlaid with ivory.

H. H. the Maharaja of Mysore—Carved sandalwood.

H. H. the Maharaja Gaekwar of Baroda—Wood-carving.

Framjee Jewanjee, Surat—Carved sandalwood.

Moolchund Kasiram, Surat—Carved sandalwood.

Vencata Swami, Vizagapatam—Sandalwood, ivory, and horn decorated ware.

Kundum Dutt, Vizagapatam—Sandalwood, ivory, and horn decorated ware.

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PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE 9, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

HORSE-BREEDING AND AGRICULTURAL STOCK.

Simla, the 7th June 1894.

No. 1424—102.—The services of Veterinary-Lieutenant H. A. Sullivan, Professor, Veterinary College, Lahore, are replaced at the disposal of the Military Department, with effect from the 25th May 1894.

E. C. BUCK,
Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 2918-A, dated Simla, the 8th June 1894.

From—STEPHEN JACOB, Esquire, Officiating Secretary to the Government of India, Finance and Commerce Department,

To—The Comptroller and Auditor General.

I AM directed to acknowledge the receipt of your letter No. 1223-D., dated the 27th March 1894, on the subject of the payment of interest on Government Promissory Notes which have been enfaced for such payment in England, but on which the last Indian endorsement has not been certified.

2. In the Notification in this Department, No. 61, dated the 12th November 1858, laying down the rules for the enfacement of rupee paper for the payment of interest in London, it was provided that notes should be so enfaced only at Calcutta, and that notes bearing any endorsement must be renewed in the name of the then holder before being enfaced. It was also expressly stipulated that "any endorsement made in India of an enfaced note will not be recognised in England."

3. By a later Notification, No. 79, dated the 15th September 1859, the provision as to the renewal of notes before enfacement was modified; and it was provided that holders of notes transferred for payment of interest to Bombay or Madras might "have such notes enfaced and registered by the Accountant-General, Bombay (or Madras, as the case may be), on the condition that a certificate be affixed on the back of such notes by the Accountant-General of the Presidency concerned that all existing endorsements have been examined by him and are valid and correct, and that the note itself is genuine and outstanding; and on the understanding that no endorsement made subsequently to the date of the Accountant-General's certificate will be recognised in England."

4. This later order did not expressly refer to Calcutta, but since its issue the recognised practice in Calcutta, as in Madras and Bombay, has been for the Public Debt Office to certify to the genuineness of the notes and of the endorsements, if any, upon them at the time of enfacement for payment of interest in London, renewal being effected only when desired by the holder or when necessary for any special reason.

5. It now appears from a letter, dated the 16th January 1894, from the Chief Accountant, Bank of England, to your address, that a very large number of the notes lodged at the Bank do not bear the prescribed certificate as to the correctness of the endorsement; and that as the Bank considered that the refusal to recognise uncertified endorsements might occasion trouble, it has hitherto admitted the notes on such evidence as could be procured in England of the genuineness of the endorsement. The Bank has, however, now raised the question whether its present practice is correct or whether it would be justified, and would be carrying out the wishes of the Government of India, in refusing to pay interest on notes on which the last Indian endorsement has not been duly certified.

6. I am to point out that the practice followed by the Bank of England as stated in the Chief Accountant's letter is not only irregular and not in accordance with the prescribed rules, but is also open to objection, since it is desirable that the genuineness of endorsements made in India should be decided in this country; the practice now brought to notice must in some cases operate with unfairness, as the proof required by the Bank might be easily obtainable in some cases, while in others it would not be possible to furnish it without a reference to India. The Government of India have accordingly decided that the practice should cease, and that in accordance with the authorised procedure notes on which the last Indian endorsement has not been certified should not be recognised in England.

7. The Government of India recognise the fact that the sudden cessation of the existing practice, however irregularly it has been allowed to grow up, might cause some inconvenience, and have accordingly decided that notice should be given in the form of the prescribed certificate of endorsement that endorsements made in India after the date of the certificate will not be recognised in England. The two following forms of notice are now prescribed by the Government of India for this purpose; and I am to request that in future one or other of the forms may be stamped on all Government Promissory Notes enfaced for payment of interest in England, Form A being used for notes bearing endorsements and Form B for clean notes:

A.

Certified that the above endorsement ha been examined, valid and correct, and that the note is genuine and outstanding. Any endorsement made in India subsequent to the date of this certificate will not be recognised by the Bank of England (vide *Government of India Notifications No. 61, dated the 12th November 1858, and No. 79, dated the 15th September 1859).*

Superintendent.

Dated 189 .

B.

Certified that this note is genuine and outstanding. Any endorsement made in India will not be recognised by the Bank of England (vide *Government of India Notifications No. 61, dated the 12th November 1858, and No. 79, dated the 15th September 1859).*

8. I am to add that the attention of the Bank of England will be invited to the rules on the subject as laid down in 1858 and 1859, and the Bank will be requested to give notice of the above orders in such manner as may appear most suitable on the occasion of the next payment of interest on any loan ; and thereafter to refuse payment of interest upon, and to return under objection, all notes in which the rule as to endorsements in India is infringed, unless the endorsements have been previously recognised under the practice described in paragraph 5.

Ordered, that the letter be published in the *Gazette of India* for general information.

SEPARATE REVENUE.

STAMPS.

The 7th June 1894.

No. 2897-*S. R.*—Under Section 8 of the Indian Stamp Act, I of 1879, it is hereby notified that in exercise of the power to reduce or remit, whether prospectively or retrospectively, in the whole or any part of British India, the duties with which (*a*) any instruments, or (*b*) any particular class of instruments, or (*c*) any of the instruments belonging to such class, or (*d*) any instruments when executed by or in favour of any particular class of persons, or by or in favour of any members of such class, are chargeable, the Governor General in Council has been pleased—

(1) to direct that the duties chargeable on the instruments specified in the first column of the first schedule to this notification shall be reduced to the amounts respectively indicated in the second column of that schedule, and

(2) to remit the duties chargeable on the instruments specified in the second schedule to this notification.

II.—All previous notifications under Section 8 of the Indian Stamp Act, I of 1879, are hereby cancelled, but not so as to effect their past operation.

THE FIRST SCHEDULE.

Instruments on which Stamp-duty is reduced.

1		2
Description of Instrument.		Proper Stamp-duty.
1. *Agreement* executed for service or for performance of work in a coffee-plantation in the Madras Presidency, Coorg or Mysore, when the advance given under the agreement does not exceed twenty rupees.		One anna.
2. *Charter-party* containing a clause as to the payment of compensation in case of breach of the contract evidenced thereby		One rupee.
3. *Instrument evidencing an agreement to secure the repayment of a loan* made upon any mortgage of a crop, whether the crop is or is not in existence at the time of the mortgage.	(*a*) When the loan is repayable not more than three months from the date of the Instrument.	Half the duty chargeable under the Indian Stamp Act, I of 1879, Schedule I, Article 11 (*b*), on a Bill of Exchange for the amount secured.
	(*b*) When the loan is repayable more than three months, but not more than one year, from the date of the Instrument.	The same duty as that chargeable under the Indian Stamp Act, I of 1879, Schedule I, Article 11 (*b*) on a Bill of Exchange for the amount secured.
4. *Instrument of gift* of shares in a Company or Association		The same duty as that chargeable under the Indian Stamp Act, I of 1879, Schedule I, Article 60 (*a*), on a transfer of shares for a consideration equal to their value, as set forth in the instrument of gift.
5. *Instrument of partition* of land held on settlement for a period not exceeding thirty years and paying the full assessment to the Government.		Not to exceed the amount chargeable on a valuation of the land at five times the annual revenue.
6. *Power-of-attorney* of the kind specified in the Indian Stamp Act, I of 1879, Schedule I, Article 50 (*b*), when required in suits or proceedings under the Presidency Small Cause Courts Act, XV of 1882.		Eight annas.
7. *Proxy* executed by a female, empowering any person to vote— (*a*) at any one election of members of a Local Board held under the provisions of the Bombay Local Boards Act (Bombay Act I of 1884), or (*b*) at any one election of Municipal Commissioners held under the provision of the Bombay District Municipal Act Amendment Act (Bombay Act II of 1884).		One anna.

THE SECOND SCHEDULE.

Instruments exempted from Stamp-duty.

1. *Agreements*—

(*a*) of the kind described in the Dekkhan Agriculturists' Relief Act, XVII of 1879, section 43;

(*b*) such written agreements with respect to enhancement of rent of ex-proprietary or occupancy tenants as are referred to in the North-Western Provinces Rent Act, XII of 1881, section 12, clause (*a*);

(*c*) executed under the Indian Emigration Act, XXI of 1883, section 35, sub-section (1);

(*d*) made under Act II of 1886 (*an Act for imposing a tax on income derived from sources other than agriculture*), section 9, sub-section (2);

(*e*) respecting the occupancy of land, whether surveyed or not, and the payment of the land-revenue therefore executed under the Bombay Land-revenue Code (Bombay Act V of 1879) or any rules made under that Act;

(*f*) or declarations by which a tender made to an Executive Commissariat Officer is accepted as a contract when the deposit of the contractor as security for his contract is made in Government of India Loan Notes or in cash;

(*g*) agreement papers passed by Commissariat contractors when their security deposits are transferred to a Savings Bank;

(*h*) made with Railway Companies or Administrations for the conveyance of goods;

(*i*) made with Railway Companies or Administrations, which purport to limit the responsibility of those Companies or Administrations as declared by the Indian Railways Act, IX of 1890, section 72, sub-section (1), and are in a form approved by the Governor-General in Council under sub-section (2) of that section;

(*j*) or indemnity bonds given to Railway authorities by consignees (when the railway receipt is not produced) in respect of the delivery of articles carried at half parcels rates, namely, fresh fish, fruits, vegetables, bazár baskets, bread, meat, ice, and other perishable articles:

(*k*) and security bonds required to be executed, under the rules to regulate appointments and promotions in the Provincial Forest Service, by students and their sureties previous to entry into the Forest School, Dehra Dún.

Articles of Association—

See clause 11 infra.

2. *Bills of Exchange*—

drawn in Mysore, the Hyderabad Assigned Districts, the Hyderabad Residency Bazárs, or the Cantonment of Sikandarabad on which the full rate of stamp-duty has been paid there when the same are negotiated in British India.

3. *Bills of Lading*—

executed out of British India and relating to property to be delivered in British India.

4. *Bonds*—

Security-bonds—

(*a*) taken, under the authority of the Government, from medical students of the Apothecary, Assistant Surgeon, and Hospital Assistant classes, and their sureties;

(*b*) executed under No. 3-A of the rules made by the Governor of Bombay in Council under the Bombay Irrigation Act (Bombay Act VII of 1879), section 70.

See also clause 1 (j) and (k) supra.

5. *Cheques*—

drawn in Mysore, the Hyderabad Assigned Districts, the Hyderabad Residency Bazárs, or the Cantonment of Sikandarabad on which the full rate of stamp-duty has been paid there when the same are negotiated in British India.

6. *Copies or Extracts*—

(*a*) copies of instruments which the Village Registrar has to deliver to the parties under the Dekkhan Agriculturists' Relief Act, XVII of 1879, section 58;

(*b*) copies of, or extracts from, baptismal, marriage or burial registers certified by Government Chaplains, subsidised or unsubsidised Clergymen, or Diocesan Registrars, and granted to—

(1) soldiers, sailors, or non-commissioned or petty officers, or

(2) persons in needy circumstances, in whose favour Chaplains may exercise the discretionary power vested in them by Rule IV of Division III of the rules published under Notification No. 103, dated the 20th June 1885, in the *Gazette of India* of the 27th idem, Part I, page 346:

[*N.B.*—This exemption is in respect of any stamp-duty with which the copies or extracts might otherwise be chargeable.]

(*c*) copies of entries—

(*i*) in the certified copies of registers given under the Births, Deaths and Marriages Registration Act, VI of 1886, section 8;

(*ii*) in register books granted by any Registrar of Births and Deaths under the said Act, section 25, or

(*iii*) in registers and records given under the said Act, section 35,

when applied for by a soldier, sailor, non-commissioned officer or petty officer;

(*d*) copies or extracts certified by patwárís to be true copies of, or true extracts from, records or papers which they are required to prepare or keep by any rule made by the Chief Commissioner under the Central Provinces Land-revenue Act, XVIII of 1881, section 146, when the copy or extract is furnished by a patwári to a malguzár or tenant of or in the village with which the copy or extract is concerned.

7. *Debentures*—

(*a*) debenture bonds issued by a Joint Stock Company under the terms of a mortgage-deed making over in whole or in part the property of the Company to trustees for the benefit of the debenture-holders, and interest coupons attached to the said debentures;

(*b*) the debenture bonds of the loan of Rs. 20,00,000 raised by the Government of His Highness the Maháraja of Mysore for the construction of a line of railway from Bangalore to Tiptoor when the said bonds are negotiated in British India;

(*c*) the debentures specified by date, number, and value in the appendix hereto:

[*N.B.*—This exemption is in respect of any stamp-duty with which the debentures might otherwise be chargeable, whether on issue, renewal, sub-division, or consolidation.]

8. *Instruments*—

(*a*) executed for the purpose of securing the repayment of loans made or to be made under the Agriculturists' Loans Act, XII of 1884, or under Rule 147 of the rules framed under the Burma Land and Revenue Act, II of 1876;

(*b*) in the nature of a memorandum or agreement furnished to, or made or entered into with, Executive Commissariat Officers by contractors;

(*c*) in the nature of a memorandum or agreement furnished to, or made or entered into with, the Ordnance Department, the Army Clothing Department, or the Public Works Department by contractors for the due performance of their contracts;

(*d*) executed by officers of the Government or their sureties to secure the due accounting for property received by those officers by virtue of their office;

(*e*) whereby proprietors and others in the Central Provinces engage with the Government for the maintenance and remuneration of patwáris;

(*f*) conveyances by endorsement of rights secured by instruments known as "Sattas" (this clause applies only to the Central Provinces);

(*g*) pattas granted by an officer of the Government or by any assignee of Government revenue in the Madras Presidency to holders of land under raiyatwar settlements;

(*h*) sanads of jágírs and other documents conveying lands granted to individuals by the Government otherwise than for a pecuniary consideration;

(*i*) of exchange executed by private persons when land is given by them for public purposes in exchange for other land granted to them by the Government;

[*N. B.*—This exemption is in respect of the stamp-duty which would otherwise be payable by private persons under section 29, clause (*f*), of the Indian Stamp Act, I of 1879.]

(*j*) contracts executed in accordance with the provisions of the Assam Labour and Emigration Act, I of 1882, for service in Assam under the Chief Commissioner in the Public Works Department or under District Committees constituted under the Assam Local Rates Regulation, III of 1879;

(*k*) deed of dower executed on the occasion of a marriage between Muhammadans;

(*l*) evidencing an ordinary pawn transaction, where money is borrowed on the pledge of moveable property, and the sum borrowed does not exceed twenty rupees.

9. *Leases and Counterparts*—

(*a*) leases granted by the Government under rules made under the Indian Forest Act, VII of 1878, section 31, or purporting to be so granted, of land situated in a protected forest in any of the following villages in the Akola Taluka of the District of Ahmednagar in the Presidency of Bombay, namely:—

Ambit,	Pachnai,
Ghatghar,	Pánjré,
Kumshet,	Sámrád,
Loháli Kotul,	Shinganvádi,

Uddavné;

(*b*) leases granted under rule 31 of the rules published by the Government of Bombay under the Bombay Land-revenue Code (Bombay Act V of 1879);

(*c*) leases of fisheries granted under the Upper Burma Land and Revenue Regulation, III of 1889, section 32;

(*d*) leases or counterparts thereof executed at the time of settlements made directly by the Government with existing occupants of land, whether zamíndárs or tenants, and whether self-cultivating or not: provided that no fine or premium is paid in consideration of the lease.

10. *Letters*—

(*a*) letter which a person depositing money in a District Savings Bank or Post Office Savings Bank as security to the Government or a local authority for the due execution of an office, or for the fulfilment of a contract, or for any other purpose, is required by the rules of the Savings Banks to address to the Secretary to the District Savings Bank or the Post Master, in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accuring due thereon:

"Local authority" in this clause means a Municipal Committee, District Board, body of port Commissioners, or other authority legally entitled to, or entrusted by the Government with, the control or management of a Municipal or local fund;

(*b*) letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give on behalf of the other or others of them, or any one or more of such other joint holders, a discharge for interest payable on such security or on any renewed security issued in lieu thereof.

11. *Memorandum and Articles of Association*—

of any Association registered under the Indian Companies Act, VI of 1882 section 26.

13. *Policy of Insurance*—

Policies of life insurance and contracts for monthly allowances granted by the Director-General of the Post Office of India in accordance with the rules for Postal Life Insurance and Monthly Allowances issued under the authority of the Government of India.

13. *Powers-of-Attorney*—

(*a*) furnished to relatives, servants, or dependants under the Dekkhan Agriculturists' Relief Act, XVII of 1879, section 68;

(*b*) executed in favour of lambardárs or khatedárs by opium cultivators who do not attend personally to receive advances or to enter into contracts for the cultivation of opium.

See also clause 10 *supra.*

14. *Receipts*—

(*a*) given by Mounted Police Constables on account of their pay and allowances;

(*b*) given by the addressee for deposits exceeding twenty rupees made for the payment of replies to telegraphic messages;

(*c*) endorsed by the payee on Postal Money Orders:

[*N. B.*—This exemption is in respect of any stamp-duty with which the receipts might otherwise be chargeable.]

(*d*) given by Railway Companies or Administrations for fares for conveyance of passengers or goods, or both, or animals, and to such Companies or Administrations for refunds of overcharges made in respect of such fares;

(*e*) given for payment of interest on Government Promissory Notes;

(*f*) given by, or on behalf of, depositors in Post Office, District, Presidency, or State Railway Savings Banks or in the East Indian Railway Savings Bank for sums of money withdrawn from any of those Banks:

[*N. B.*—This exemption applies in all cases in which the receipts would otherwise be liable to stamp-duty.]

(*g*) given by opium cultivators or their representatives and by lambardárs and khatedárs in the Behár and Benáres Agencies for money paid to them by the Government as advances for the cultivation of opium.

15. *Share Warrants*—

issued by a Company in pursuance of the Indian Companies Act, VI of 1882, section 30:

This exemption is in respect of the duty specified in the Indian Companies Act, VI of 1882, section 35, and will only take effect upon payment, as composition for that duty, to the collector of Stamp Revenue, of—

(*a*) three-quarters per centum of the whole subscribed capital of the Company, or

(*b*) if any Company, which has paid the said duty or composition in full, subsequently issues an addition to its subscribed capital, three-quarters per centum of the additional capital so issued.

APPENDIX.

Debentures referred to in clause 7 (c) of the Second Schedule supra.

1	2	3	4	5
By whom issued.	Date of Debenture	Number of Debenture	Value of each Debenture.	Amount.
			Rs.	Rs.
* *	* *	* *	*	*
	November 10, 1884	$\frac{1}{1}$ to $\frac{561}{31}$		56,100
	November 24, 1884	$\frac{562}{32}$ to $\frac{661}{32}$		10,000
	December 4, 1884	$\frac{662}{33}$ to $\frac{701}{33}$		4,000
	December 15, 1884	$\frac{702}{34}$ to $\frac{721}{34}$		2,000
	December 20, 1884	$\frac{722}{35}$ to $\frac{751}{35}$		3,000
	January 2, 1885 ...	$\frac{752}{36}$ to $\frac{821}{37}$		7,000
Municipality of Simla ...	January 17, 1885...	$\frac{822}{38}$ to $\frac{891}{39}$	100	7,000
	January 24, 1885...	$\frac{892}{40}$ to $\frac{961}{40}$		7,000
	January 30, 1885...	$\frac{962}{41}$ to $\frac{971}{41}$		1,000
	February 17, 1885	$\frac{972}{41}$ to $\frac{1001}{42}$		3,000
	February 20, 1885	$\frac{1002}{43}$ to $\frac{1011}{43}$		1,000
	March 13, 1885 ...	$\frac{1012}{44}$ to $\frac{1041}{44}$		3,000
* *	* *	* *	*	*

SEPARATE REVENUE.

POST OFFICE

General Matters.

The 8th June 1894.

No. 2941-*S. R.*—Whereas it has been found necessary for the prevention of the fraudulent employment of previously used stamps to provide that postage stamps defaced before posting by the impression of rubber or other stamps shall not be recognised by the Post Office in payment of postage,

The Governor General in Council has been pleased to frame the following rule under section 63 of the Indian Post Office Act, 1866, and to direct that it shall be substituted for the rule published in Notification of the Government of India in the Finance and Commerce Department, No. 3552, dated the 16th October 1885, with effect from the 1st day of November 1894:

"XLIX. The postage of a letter, newspaper, or other article shall not be deemed to be prepaid by means of a proper stamp—

(*a*) if the stamp is a stamp which has not been provided for use as a postage stamp under section 36 of the Indian Post Office Act, 1866; or

(*b*) If the stamp has been obliterated, defaced, torn, cut, or otherwise rendered imperfect; or

(*c*) if the stamp has upon it any word, letter, figure, or design printed or impressed upon it, otherwise than by the authority of Government, before posting; or

(*d*) if the stamp has been cut or otherwise separated from an embossed envelope or from a post-card; or

(*e*) if the stamp is on an embossed envelope and that envelope is used as a wrapper for a newspaper, or is wholly or partly cut open;

Provided that nothing in this rule is intended to prevent the perforation of postage stamps with initials traced in minute holes."

STEPHEN JACOB,

Offg. Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JUNE 9, 1894.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

REVISED RULES FOR THE REGULATION OF APPOINTMENTS IN THE SECRETARIAT CLERICAL SERVICE OF THE GOVERNMENT OF INDIA AND ATTACHED OFFICES.

No. $\frac{\text{2-Exams.}}{188—199}$.

Extract from the Proceedings of the Government of India in the Home Department (Examinations),—under date Simla, the 5th June 1894.

Read the undermentioned papers on the subject of the rules for the regulation of appointments in the Secretariat Clerical Service of the Government of India and certain attached offices :

Home Department Resolution	No.	$\frac{31}{1161—1100}$,	dated the 21st July 1880.
Ditto ditto	No.	$\frac{31}{1193—1368}$,	dated the 31st August 1882.
Ditto ditto	No.	$\frac{25}{958—963}$,	dated the 19th July 1883.
Ditto ditto	No.	$\frac{31}{1335—1345}$,	dated the 23rd August 1884.
Ditto ditto	No.	$\frac{3}{101—107}$,	dated the 16th January 1885.
Ditto Notification	No.	1817,	dated the 3rd July 1888.

RESOLUTION.

The Secretariat Clerical Service of the Government of India and attached offices has for some years past been divided into an Upper and a Lower Division,—the former comprising appointments the pay of which is Rs. 200 and upwards, and the latter those of which the pay is below that sum. The last published rules relative to the filling of the appointments are contained in the Notification No. 1817, dated 3rd July 1888, as revised up to date. The rules lay down that the head of the office concerned shall have an absolute power of selection for the posts of Registrars, Superintendents, Personal Assistants, and generally for appointments in which control or supervision of other clerks is vested. Subject to this proviso, the method of filling up appointments is partly by open competition and partly by selection. One-half of the appointments in the Upper Division and two-thirds of the appointments in the Lower Division are recruited by open competition. To every alternate vacancy in the Upper Division and to every third vacancy in the Lower Division the head of the department or office may appoint any person possessed of certain qualifications.

2. The system of open competition for the recruitment of both the Upper and Lower Divisions of clerkships was introduced by the Resolution of this Department of the 31st August 1882, and has been found to work very satisfactorily as regards the Lower Division. As a means of supplying vacancies in the Upper Division, however, it has been unsuccessful. Two non-official candidates would by the competition of 1884 have obtained clerkships in the Upper Division, but both of them preferred to take up employment elsewhere. Since 1884 only one non-official candidate has been successful in competing for an Upper Division clerkship. This clerk proved unequal to the duties of the post, and has left his appointment. Such outside candidates do not possess the office experience necessary for the proper performance of the duties attached to the clerkships in the Upper Division, and consequently require to undergo a lengthened period of training before they become really efficient. The candidates who have hitherto presented themselves for vacancies in the Upper Division have differed in no respect as regards social standing, education, and University qualifications from those competing for the Lower Division, and experience has proved that vacancies in the latter division possess sufficient attraction to ensure the selection for them of men who, after going through a training in the inferior appointments, are well qualified to fill posts in the Upper Division.

3. The Governor-General in Council considers that, having regard to the class of clerks now recruited for the Lower Division, it is unnecessary to reserve for appointment by open competition any fixed proportion of Upper Division clerkships. It has been established that the head of an office can from the intimate knowledge of the capacity of the men working in it, which he necessarily acquires in the course of daily experience, fill up such vacancies when they occur (which is but rarely) without difficulty from among clerks in the Lower Division. When a clerk has proved his capacity by his daily work, it is evidently unnecessary to resort to a competitive examination in order to establish his competency. Such an examination is useful only in the case of untried men of whom nothing is as yet known. The ordinary rule, therefore, will be that posts in the Upper Division will be filled by selection from posts in the Lower Division.

4. In the very rare cases where no clerk in the Lower Division of an office is considered qualified to fill a post in the Upper Division of that office, His Excellency in Council is of opinion that the principle of competition must be maintained, and the post thrown open to outsiders. It is not, however, necessary to lay down beforehand rules for the competitive examination to be held in such cases, as the post to be filled will often demand special qualifications. Rules will be framed and published as may be required on each occasion.

5. The Rules published with the Notification of this Department, No. 1817, dated the 3rd July 1888, have been revised in accordance with this Resolution, and are now republished.

ORDER—Ordered, that a copy of the above Resolution, with a copy of the rules as revised, be forwarded for information and guidance to the Departments of the Government of India (except the Foreign Department) and to the heads of offices under the Home Department marginally noted; that a copy be forwarded to the Governments of Bengal, the North-Western Provinces and Oudh, and the Punjab for information; that a copy be also forwarded to the Secretary to the Board of Examiners, and that the Resolution and the rules be published in the *Gazette of India* for general information.

Sanitary Commissioner with the Government of India.
Surgeon-General with the Government of India.

[True Extract]

C. J. LYALL,

Secretary to the Government of India.

Rules for the Regulation of appointments in the Secretariat Clerical Service of the Government of India and attached offices.

1. The Secretariat Clerical Service shall be separated into an Upper and a Lower Division,—the former comprising all appointments the pay (or in the case of appointments carrying progressive pay, the minimum pay) of which is Rs. 200 and upwards; the latter all appointments (other than those of copyists, to whom these rules do not apply) the pay of which is below that sum. No clerk will be entitled to promotion from the Lower to the Upper Division as a matter of course or otherwise than in accordance with these rules.

2. The head of the office concerned shall have an absolute power of selection in the case of appointments of Registrars of Offices, Superintendents of Branches, Head Assistants, Personal Assistants, or appointments involving the control or supervision over divisions of an office. The remaining appointments in the Upper Division will usually be filled by the head of the office concerned by selection from among the clerks in the Lower Division. If, however, no clerk in the Lower Division of an office is considered fit for promotion to the Upper Division, a vacancy in the latter division shall be filled by competition open to the public.

3. The mode of recruiting two-thirds of all the appointments in the Lower Division shall be by open competition.* The rest of the appointments in this division may be filled in accordance with Rules 14 and 15.

4. Special regulations respecting the examinations for appointments in the Upper Division, which it may be necessary to hold under Rule 2, will be framed and notified on each occasion before such an examination is held.

5. An examination of candidates for the Lower Division of the Secretariat Clerical Service will be held at Calcutta, Allahabad and Lahore, and at such other places as may hereafter be appointed, in January of each year. The examination at Allahabad will be confined to persons domiciled† in the North-Western Provinces, Oudh, the Central Provinces, Rajputana, and Central India; and that at Lahore to persons domiciled in the Punjab and Baluchistan. Candidates who desire to compete for vacancies offered for competition at Allahabad and Lahore must prove, to the satisfaction of the Secretary to the Board of Examiners, that they are domiciled in one of the provinces enumerated above, permanent residence in which would entitle them to appear at either of the centres. Natives of Bengal, who are temporary residents of, and not domiciled in, any of those provinces, will be permitted to present themselves at the examinations at Allahabad and Lahore, but they will be treated as competing for the vacancies offered at Calcutta, and not for those offered at Allahabad and Lahore.

6. The arrangements for the examination prescribed in the last preceding rule will be made by the Board of Examiners, Fort William, who will be assisted by paid Examiners, and act in communication with the Secretary to the Government of India in the Home Department. Before the examination commences, a distinguishing number will be given by the Secretary to the Board of Examiners to each candidate, with which the candidate will mark each of his papers of answers.

7. The nature of the examination for the Lower Division will be as follows:

(1) Dictation and Handwriting.

This will be a preliminary test. The examination in these subjects will not be competitive, but marks will be assigned for the purpose of testing proficiency. The papers of candidates will be examined as soon as possible after this examination; and the examiners will require any candidate who fails to obtain two-thirds marks in each subject to withdraw from the further examination.

	Marks.
(2) English Composition (Essay-writing and Drafting)	100
(3) Précis-writing	100
(4) Geography	50
(5) History (English and Indian)	50
(6) Arithmetic; Euclid, 1st Book; Algebra up to Simple Equations	50

No candidate will be credited with marks in either subject (2) or subject (3) unless he obtains at least one-fourth of the marks in the subject; nor will he be credited with marks in subject (4), subject (5), or subject (6) unless he obtains one-fifth of the marks in the subject. Any candidate obtaining less than one-fourth marks in either subject (2) or subject (3) shall be disqualified. Candidates will not be eligible for the Lower Divison of the Financial Department or for the Office of the Accountant-General,[1] Military Department (if, with reference to Rule 20 below, the Department or Office adopts these rules), and of the Accountant-General, Public Works Department, unless they obtain at least one-third of the full number of marks in Arithmetic.

[1] Home Department Resolution No. 30/2970-2984, dated the 13th November 1888.

8. Every candidate for an appointment in the Lower Division must send a written application for permission to appear at the examination to the Secretary to the Board of Examiners between the date of issue of the Notification announcing the number of vacancies to be competed for, to which reference is made in Rule 10 of the rules, and the 15th December (inclusive).

Home Department Notification No. 156, dated the 28th January 1892.

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* The Head of a Department has discretion to fill any vacancy which is not expected to last more than three months in the manner which he considers to be most suitable (Home Department Resolution No. 17/1116—1120, dated the 21st June 1889).

† The term "domiciled" should be understood in its ordinary legal sense (*vide* the Indian Succession Act, 1865, Part II), and no person can be considered to be domiciled in any of the provinces enumerated unless he has fixed the habitation of himself and his family in that province, not for a mere special or temporary purpose, but with the intention of making it his permanent home (Home Department Resolution No. 11 Public/93—901, dated the 14th May 1891).

9. The application under the last rule should be in the form given on the margin, and be accompanied by a treasury receipt for the sum of Rs. 10. This sum he is required to pay into the treasury nearest his place of residence by way of examination fee. With the application must also be forwarded—

[FORM.]

To—The Secretary to the Board of Examiners, Fort William.

SIR,

I request permission to present myself at the ensuing examination of candidates for appointments in the Lower Division of Government Clerkships. If successful, I should elect to serve in the Office of the

A treasury receipt for the fee of Rs. 10 is forwarded herewith.

I am, etc.,

(1) Evidence (except in the cases provided for by Rule 11) that the candidate at the date of making his application is not less than eighteen and not more than twenty-four years of age. The date of the candidate's birth must be stated.

(2) In case the candidate has been educated at a school in which students' good conduct registers are kept, the candidate's register for the last year of his attendance at school, when a year has not elapsed since he left school. In other cases, a certificate that the candidate is of good moral character from the head of the institution in which he has last been educated, or from some respectable house-holder to whom he is well-known in private life, and who is himself known to a District or Sub-Divisional Magistrate or to the head of some Government Office,—this last fact being certified by the countersignature of the officer in question.

10. The number of candidates to be selected by the Examiners for the Lower Division will be notified in the *Gazette of India* by the Home Department on or before the 31st October. This number will be determined in communication with the heads of the offices concerned, with reference to the number of vacancies existing or estimated as likely to occur within the course of the following year (and which it is not intended to fill under the provisions of Rules 14, 15, and 16), *plus* a margin of 10 per cent. for casualties. One-half the number of vacancies offered will be reserved for candidates domiciled in the North-Western Provinces and Oudh, the Punjab, and the Central Provinces, Rajputana, Central India, and Baluchistan, provided that a sufficient number of duly qualified candidates to fill these appointments appear from those territories.

11. Persons who have at any time held a permanent appointment in any of the offices referred to in these rules, but who may have lost such appointment owing to its abolition or on reduction of establishment, may present themselves for the examination for the Lower Division under these rules, provided they are under forty years of age.

12. As soon as practicable after the open competitive examination for the Lower Division, the Board of Examiners will report the result to the Home Department. The report will take the form of a list giving the names of selected candidates and the exact dates of their births, the distinguishing numbers of unsuccessful candidates, and the number of marks obtained by each candidate, whether successful or unsuccessful, in each subject of examination. The Home Department will then circulate a list of selected candidates to the heads of the offices concerned. Candidates will be given their choice of departments as far as possible, and the Home Department will intimate such choice, if made, to the head of each office. The head of each Department will, however, be at liberty to offer a vacant appointment which may occur in his Department to any selected candidate remaining on the list. This offer should be made through the Home Department, which will keep each Department of the Government of India informed as the names of selected candidates are removed from the list. No candidates selected in a later year shall be offered an appointment until the offer has been made to, and refused by, selected candidates of an earlier year remaining on the list.

13. When an outside candidate for the Lower Division attains the age of twenty-five years, or when two years have expired from the date of the entry of his name on the list, or when any candidate has refused the offer of an appointment in the Department in which he has elected to serve, or has twice refused the offer of an appointment in any other Department or Departments, his name shall immediately be removed from the list.

14. Every third vacancy in the Lower Division may be filled by the head of the Deprtment without reference to the preceding rules.

15. Appointments made under the last preceding rule shall, if the person appointed is not in Government service, be made subject to the conditions that the person appointed—

(a) is at the time of appointment not less than eighteen and not more than twenty-five years of age;

(b) can give satisfactory evidence that he possesses a minimum educational qualification equivalent to the Entrance Standard of one of the Indian Universities;

(c) must produce satisfactory evidence that he is of good moral character.

16. Any officer already in Government employment may be appointed to any vacancy such as is referred to in Rule 14 without regard to the qualifications specified in the preceding rule.

17. The heads of offices to which these rules apply are at liberty to arrange transfers from the Lower Division of one office to that of another. The transfer of an officer from a post in an office to which the rules apply to a vacancy in another office to which these rules also apply shall, for the purposes of Rule 14, be held to be the filling up of a vacancy.

18. Before a person who is not already in Government service is actually employed in any office, he must produce a certificate from a Government medical officer of or above the rank of Surgeon to the effect that he is in good health and of a sound constitution.

19. All candidates for the Lower Division, whether selected by examination or nominated, who receive appointments, and such candidates for the Upper Division as are recruited by open competition, will be on probation for twelve months; and if at any time during that period, or at its close, their work is not considered satisfactory by the head of the office in which they are employed, they will receive their discharge, and will have no claim to gratuity or compensation on that account.

20. The above rules will apply to the Secretariat Offices* of the Government of India, except the Foreign Department, and the Department† of Finance and Commerce, and the Office of the Accountant-General, Military Department, whenever the latter Department or office fill vacancies by recruitment of officers already holding clerical appointments in any Government Account Office. When the Department of Finance and Commerce and the Office of the Accountant-General, Military Department, do not recruit in this manner, the rules will apply. They will also apply to the Offices of—

Home Department Resolution No. 39/2573—2984, dated the 13th November 1888.

‡ { The Sanitary Commissioner with the Government of India,
The Surgeon-General with the Government of India, }

The Director General of the Post Office of India,

The Northern India Salt Revenue Department,

The Inspector-General of Forests,

The Director-General of Telegraphs,

The Accountant-General, Public Works Department,

*The Consulting Engineer to the Government of India for Railways, Calcutta,

The Surveyor-General of India,

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*These rules do not apply to the Traffic and Statistical Sections of the Railway Branch of the Public Works Secretariat and the Office of the Consulting Engineer to the Government of India for Railways, Calcutta, when these sections and office fill vacancies by recruitment of officers already serving in the Offices of the Traffic Superintendents and District Officers on the State lines (Home Department Resolution No. 22/1368—1382, dated the 5th August 1889).

†These rules do not apply to classes VII (Rs. 50—75), VIII (Rs. 35—50), and IX (Rs 25—35) of appointments in the General Branch of the Department of Finance and Commerce, and to classes IX (Rs 25—35) and X (Rs. 20—25) in the Statistical Branch. That Department has also authority to recruit, without reference to the rules in the case of appointments in class VIII (Rs. 35—50) in its General Branch, at any time when it considers it necessary to do so; but ordinarily recruitment to that class will be from passed candidates. No clerk, other than a passed candidate, who enters the classes now exempted from the operation of the rules after the date of this Resolution, is eligible for promotion to the classes above class VII in the Statistical and class VIII in the General Branch, except in accordance with Rule 14 of these rules (Home Department Resolution No. 22/1455—1456, dated the 15th September 1891).

‡These rules do not apply to the Office of the Statistical Officer to the Government of India in the Sanitary and Medical Departments (Home Department Resolution No. 14/1031—1033, dated 21st May 18[illegible]0).

The Director of the Geological Survey,

The Meteorological Reporter to the Government of India,

The Commissary-General-in-Chief,

The Commissary-Generals of Circles,

The Director-General of Ordnance in India,

*The Inspectors-General of Ordnance, Eastern and Western Circles,

The Principal Medical Officer, Her Majesty's Forces,

The Office Establishment of the several Arsenals, Depôts, and Factories in Bengal,

and to such other Imperial and Provincial offices as may hereafter be notified as having adopted them.

21. On the occurrence of any vacancy hereafter in the Lower Division of any office which has to be filled by open competition under these rules, when no candidate qualified under the rules is available to fill such vacancy, appointments may be made under Rules 14 to 16.

22. These rules shall take effect from the date of their issue.

23. Copies of these rules may be obtained on application at the office of the Home Department, Calcutta.

* Three appointments in the Office of the Inspector-General of Ordnance, Eastern Circle, and two in that of the Inspector-General, Western Circle, are reserved for soldiers possessing technical knowledge of Ordnance duties (Home Department Resolution No. $\frac{15}{1070-1071}$, dated the 31st May 1890).

C. J. LYALL,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JUNE 21, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE 16TH, 1894.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 9th June 1894.

No. 1249 *F.*—The services of Nawab Muhammad Afzal Khan, Assistant Commissioner of the 2nd Class in the Punjab Commission, are, with reference to the notification by the Government of the Punjab, No. 261, dated the 21st May, 1891, replaced at the disposal of that Government, with effect from the 7th June, 1894, after vacating the appointment of British Agent at Kabul.

W. J. CUNINGHAM,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 15th June 1894.

LONDON GAZETTE.

No. 577.—The following extracts are published for general information :

"*London Gazette,*" *dated the 22nd May* 1894, *pages* 2980 *and* 2981.

* * * * * * * *

INDIA OFFICE;
22nd May 1894.

The Queen has approved of the following promotions among the officers of the Staff Corps * * * * made by the Governments in India :

INDIAN STAFF CORPS.

* * * * * * * *

Captains to be Majors.

Dated 28th February 1894.

* * * * * * * *

Harold Arthur Deane.

* * * * * * * *

Dated 26th March 1894.

* * * * * * * *

Charles John Dennys.

* * * * * * * *

Lieutenants to be Captains.

* * * * * * * *

Dated 10th March 1894.

Arthur Henry McMahon, C.I.E.

* * * * * * * *

VOLUNTEER CORPS.

RETIREMENTS.

No. 596.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Major (Honorary Lieutenant-Colonel) Frank Leigh resigns his commission, and is permitted on retirement to retain his rank and wear the uniform of the corps.

P. J. MAITLAND,

for *Secretary to the Government of India.*

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 9th June 1894.

No. 9.—On transfer from the Burma Administration, the services of first grade Apothecary J. Davis are placed at the disposal of the Punjab Government.

W. R. RICE, *M. D.*,

Surgeon-General with the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JUNE 28, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE 23, 1894.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

RATES OF EXCHANGE.

The 22nd June 1894.

No. 3133-*A*.—In the Secretary of State's Despatch No. 21, dated the 1st February 1894, published in the Notification in this Department, No. 1047-A., dated the 27th idem, it was stated that the official rate of exchange for the year 1894-95 had been fixed at 1*s*. 3¼*d*. the rupee, "subject to a revision hereafter if it should be deemed necessary in consequence of the actual rate varying greatly from the official rate for any considerable length of time." It is hereby notified that it has now been decided that the rate shall be revised quarterly during the current financial year, and that the Secretary of State has fixed the rate for the quarter ending 30th September 1894 at 1*s*. 1¼*d*. the rupee.

STEPHEN JACOB,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 22nd June 1894.

FURLOUGH AND LEAVE.

No. 598.—The undermentioned officer is granted furlough out of India:

Lieutenant-Colonel A. DeC. Rennick, Indian Staff Corps, Deputy Commissioner, 3rd Grade, Punjab, (m. c.) for one year, under Rule XIV, clause 2, of the Regulations of 1868.

VOLUNTERR CORPS.

No. 609.—The following extract from the Supplement to the *London Gazette*, dated 26th May 1894, regarding the extension to India of the grant of the volunteer officers' decoration, is published for general information :—

Supplement to the "London Gazette," dated the 26th May 1894, *page* 3115.

WAR OFFICE,
26th May 1894.

EXTENSION OF THE VOLUNTEER OFFICERS' DECORATION WARRANT TO THE COLONIES AND INDIA:

VICTORIA, R. I.

Whereas by Our Royal Warrant of the twenty-fifth day of July, one thousand eight hundred and ninety-two, We were graciously pleased to institute a new Decoration for the purpose of rewarding the long and meritorious services of Officers of proved capacity in Our Volunteer Forces in Great Britain ;

And whereas it has been represented to Us by Our Principal Secretary of State for War, on the recommendation of Our Principal Secretary of State for the Colonies acting on behalf of the several Governments of Our Colonies, and of Our Principal Secretary of State for India in Council, that the extension of the grant of this Decoration for Long Service to Our Volunteer Forces throughout Our Empire would be highly valued by them ;

Now, to attain this end, We have extended, and by these presents for Us, Our Heirs, and Successors do extend, the grant of this Decoration to the Officers of the Volunteer Forces throughout Our Empire under the same terms and conditions as those on which it is granted to Officers in Our Volunteer Force by Our Royal Warrant of the twenty-fifth day of July, one thousand eight hundred and ninety-two, except that in the case of India eighteen years' service shall be the qualifying period: Provided always that the power of conferring the Decoration upon an Officer, or of removing the name of an Officer from the Registry of individuals upon whom the said Decoration shall have been conferred, shall be exercised on Our behalf with the same force as if exercised by Us, by the Governor-General of India, the Governor-General of the Dominion of Canada, or by the Governor of the Colony or Dependency according as such Officer shall have served in a Volunteer Force of India or of such Colony or Dependency; and the name of an Officer so granted the Decoration or removed from the Registry shall be published in the Official *Gazette of India* or of the said Colony or Dependency, as the case may be.

And We do further Ordain that Officers who have given qualifying service in the Volunteer Forces of any portion of Our Empire shall be entitled to reckon such service as part of the qualifying service required for this Decoration.

And We reserve to Ourself, Our Heirs, and Successors full power of altering, annulling, abrogating, augmenting, interpreting, or dispensing with these Regulations, or any part thereof, by a notification under the Royal Sign Manual.

Given at Our Court at *Balmoral*, this twenty-fourth day of *May*, one thousand eight hundred and ninety-four, in the fifty-seventh year of Our Reign.

By Her Majesty's Command,
(Sd.) *H. CAMPBELL-BANNERMAN.*

APPOINTMENTS.

No. 615.—North-Western Railway Volunteer Rifles—

Surgeon-Major William Coates, Indian Medical Service, to be Surgeon-Major, with effect from the 25th May 1894, to complete the establishment.

P. J. MAITLAND,
for *Secretary to the Government of India.*

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JUNE 9, 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

Circular No. 27.

Extract from the Proceedings of the Government of India in the Department of Revenue and Agriculture (Patents),—dated Simla, the 4th June 1894.

Read—

The appended Report by the Secretary under the Inventions and Designs Act, 1888, on the working of his office during the year ending 31st December 1893.

RESOLUTION.

The arrangement by which the Inventions and Designs office was placed under the superintendence of the officer in charge of the Mathematical Instrument Department of the Survey of India continued in force during the year under review. The distance of the Survey office from the Patents office has always been an objection to this arrangement; but, in the absence of any responsible official at the Secretariat buildings during the summer, the plan adopted was unavoidable. With a view, however, to the greater convenience of the public, advantage has been taken of the appointment of an Imperial officer to the charge of the Imperial Libraries in the Secretariat buildings to arrange for the control of the Patents office from the 1st January 1894 by an official whose duties are conducted under the same roof. The Patents office has accordingly been placed under the management of the Director of Records to the Government of India.

2. The working of Act V of 1888 (the Inventions and Designs Act) during the year, as illustrated by the table of annual statistics, and especially by the figures relating to the continuance of an exclusive privilege, indicates that the public find the protection afforded to inventions by the Act to be of material value.

3. References to experts have in the year under review been slightly reduced. The question has from time to time been raised as to the extent to which the preliminary examination contemplated by the Act is necessary or desirable In England and in most European countries it is considered sufficient to advertise applications for exclusive privilege without initiating any investigation of their novelty by the State, whereas in America and Germany a preliminary enquiry is in cases of doubt both permitted and encouraged by the law. The Government of India hold the view that the examination authorized by the Indian enactment is, as a rule, expedient in those cases where the invention is likely to affect (*a*) industries in which the interests of the more ignorant classes of the population are concerned; (*b*) State operations (such as the working of railways) undertaken on behalf of the public Subject to the above considerations, the policy which guides the present administration of the Act contemplates the expeditious disposal of applications for protection under the Act, the curtailment of preliminary investigation, and, in cases in which the interests of those classes of the general community who are unable to protect themselves are not directly concerned, less exigence in demanding enquiry as to novelty than in cases in which public interests require protection.

4. The circumstance that the number of cases referred for opinion on novelty to the Public Works Department has fallen while the number referred to experts on payment of fee has risen is due to the fact that the increasing amount of work thrown upon officers of Government, whose time belongs to the public, was found to interfere with their ordinary duties. The Government of India accordingly resolved that cases connected with mechanical inventions should, when calling for investigation be in future ordinarily referred to non-official experts and not to officers of the State Departments.

ORDER.—Ordered, that the above Resolution be forwarded to the Legislative Department and to the Local Governments and Administrations noted in the margin.

Government of Madras.	Chief Comr. of the Central Provinces.
Ditto " Bombay.	Ditto " Burma.
Ditto " Bengal.	Ditto " Assam.
Ditto " N.. W Provinces and Oudh.	Ditto " Coorg.
Ditto " Punjab.	Ditto " Ajmere.
Resident at Hyderabad.	

Ordered also, that a copy be published in the Supplement to the *Gazette of India.*

[True Extract.]

E. C. BUCK,

Secretary to the Government of India.

Report on the working of the Office of the Secretary under the Inventions and Designs Act during the year ending 31st December 1893.

THE Inventions and Designs office continued under the superintendence of the officer in charge of the Mathematical Instrument Department of the Survey of India during the year under report.

The chief matter of public interest dealt with during the year was a proposal submitted by Her Majesty's Secretary of State for extending to India the benefits of Section 103 of the English Patents Act of 1883. The Government of India were willing to amend the Inventions and Designs Act so as to secure the benefits contemplated by the section above quoted, but the proposal had ultimately to be abandoned in consequence of there being no provision in the Indian Act for the registration of trade marks.

The total number of applications filed was in excess of the preceding year by 39, having stood at 375 against 336 in 1892. Of these 261 were granted, 36 refused, and 78 remained pending at the close of the year. One hundred and fifty-six of these applications were referred for the opinion of experts, 61 on payment of fees, and 95 without. The latter included 31 references to the Public Works Department, or 16 less than in the previous year. The majority of these were connected with Railways, and it was decided to refer such cases in future to the Agent, East Indian Railway, who, on payment, calls in the aid of such officer as may appear to him most competent to give an opinion. The number of applications submitted by persons resident in India was 192, of which 22 were by natives.

Two hundred and fifty-three specifications were filed during the year, being 52 less than the previous year. Twenty-five of these were for matters connected with Railways, sixteen for the manufacture of tea, seven for the treatment of cotton and other fibres, five for punkha-pulling machines, five for water lifts, and two for baling presses.

During the year only 37 applications were made for the registration of designs against 89 in 1892. Of these 26 were admitted and 11 rejected, the latter including three applications for the registration of trade marks.

Two cases were referred for the opinion of the Honorable the Advocate General on points of law.

The number of cases in which exclusive privilege was continued was 80, 69 being beyond the fourth year, 10 beyond the fifth, and 1 beyond the eighth year. The number of cases which lapsed through the non-payment of the fourth year's renewal fee stood at 144.

The fees collected showed an increase over the preceding year, the amount having reached Rs. 17,057-2-0 against Rs. 15,852-10-0. Of this amount, Rs. 150 were refunded, leaving a net total income of Rs. 16,907-2-0. This sum included Rs. 4,300 for the continuance of exclusive privilege, Rs. 335 for extensions of time for payment of renewal fees and filing of specifications, Rs. 343-2-0 for copying of specifications, Rs. 202 for tracing of drawings, and Rs. 82 for the inspection of applications and specifications.

The statement appended gives statistics of the working of the Inventions and Designs office during the year under report as compared with the two previous years.

CALCUTTA:
The 30th April 1894.

G. W. FORREST,

Secretary under the Inventions and Designs Act, 1888.

Statement showing the working of the Office of the Secretary under the Inventions and Designs Act, V of 1888, during the year 1893, as compared with the years 1891 and 1892.

		1893.	1892.	1891.
I.—APPLICATIONS FOR LEAVE TO FILE A SPECIFICATION.	Number of applications filed	375	336	347
	Ditto ditto granted ...	61	228	213
	Ditto ditto rejected ...	36	26	27
	Ditto ditto pending ...	78	8	107
II.—REFERENCES TO EXPERTS.	Number of applications referred to experts	156	198	149
	(a) on payment of fee	61	53	41
	(b) without payment of fee ...	95	145	108
	(b [1]) to Public Works Department ...	31	47	32
III.—SPECIFICATIONS ...	Number of specifications filed	253	305	236
IV.—APPLICATIONS FOR REGISTRATION OF DESIGNS.	Number of applications for registration of designs	37	89	171
	Number of designs registered	26	76	166
	Ditto rejected	11	13	5
V.—CASES INVOLVING LAW POINTS.	Number of cases referred to Advocate General and Government Solicitor	2	2	5
VI.—APPLICATIONS BY NATIVES OF INDIA.	Number of applications submitted by Natives of India	22	22	33
VII.—PATENTS RENEWED	Number of cases in which exclusive privilege was continued beyond—			
	(a) the fourth year	69	...	...
	(b) the fifth year	10	...	...
	(c) the eighth year	1	...	...
VIII.—PATENTS LAPSED	Number of cases in which exclusive privilege lapsed through non-payment of—			
	(a) the fourth year's renewal fee ...	144	...	...
	(b) the fifth year's renewal fee ...	...	...	...
		Rs. A.	Rs. A.	Rs. A.
IX.—INCOME FROM FEES	Applications	3,750 0	3,360 0	3,470 0
	Specifications	7,590 0	9,150 0	7,080 0
	Extension of time	335 0	80 0	80 0
	Continuance of exclusive privilege ...	4,300 0	1,400 0	750 0
	Inspection	82 0	117 0	124 0
	Copying	343 2	328 10	298 12
	Drawing	202 0	487 0	169 4
	Designs	370 0	890 0	1,710 0
	Amended specifications	80 0	40 0	80 0
	Miscellaneous	5 0	...	...
	TOTAL ...	17,057 2	15,852 10	13,762 0
	Refunds drawn from the Bank of Bengal during 1893	150 0	147 4	...
	NET TOTAL INCOME ...	16,907 2	15705 6	13,762 0

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 5, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," EXTRAORDINARY, DATED JUNE 30, 1894.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 3257.

Simla, the 30th June 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof:]

1. Notice is hereby given that all the Notes of the Four per cent. Loan of 1842-43 will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on November 1st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Saturday, July 28th, 1894, of tendering their Notes for reduction of interest from 4 per cent. to 3½ per cent., such reduction to have effect from August 1st, 1895.

3. The reduced loan thus constituted will be known as the 3½ per cent. Loan of 1842-43, and no part of it will be paid off or discharged before August 1st, 1904, nor until the expiration of three months after notice of payment to be given by the Governor-General of India in Council in the *Government Gazette*.

4. Notes may be tendered for reduction of interest at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England) or Treasury, to which they are for the time being enfaced for payment of interest. Notes so tendered must bear the following endorsement duly signed:

"This Note (or Stock Certificate) is tendered for reduction of interest in terms of Notification of June 30th, 1894."

5. On Notes so tendered (in addition to any interest already due and payable on them) interest will, as soon as possible after the Notes are tendered, be paid in anticipation, namely:

(1) Two Rupees per Rs. 100 falling due on August 1st, 1894;

(2) Eight annas per Rs. 100, being the difference of interest accruing up to July 31st, 1895.

6. Every Note so tendered will be enfaced in the following terms before it is returned to the proprietor:

"The interest payable on this Note is reduced to 3½ per cent., and the principal amount will not be discharged before August 1st, 1904."

7. All future payments of interest on any Note so enfaced will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

8. When a Note so enfaced comes in ordinary course under renewal, it will be renewed in its original form, save that—

(1) For "four per cent." will be substituted "three-and-a-half per cent."

(2) A clause will be added at the end—"The Governor-General in Council hereby engages that this Note shall not be discharged before August 1st, 1904."

9. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this notification a legal signature to the endorsement mentioned in clause 4 cannot be given by noon of Saturday, July 28th, 1894, then in such case the tender will be accepted if the Note be left in the custody of the Public Debt Office, Bank, or Treasury (as the case may be), and the tender be legally signed before noon of Saturday, August 18th, 1894.

10. In addition to the above payment of interest, a further payment of two annas per Rs. 100 will be made as brokerage or commission to the receipt of the person, whether proprietor or agent, who tenders the Note for reduction of interest.

11. The Secretary of State will issue a notification in London stating the terms on which Notes hereby advertised for discharge will be received for reduction of interest by the Bank of England.

No. 3258.

Simla, the 30th June, 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates issued in lieu thereof" and "Loan Certificates with coupons attached."]

Notice is hereby given that proprietors of Notes of any of the following Four per cent. Loans, namely:

Four per cent. Loan of 1854-55,
" " " 1st May 1865,
Reduced Four per cent. Loan of 1879,

may tender their Notes before noon of Saturday, July 28th, 1894, for reduction of interest from 4 to 3½ per cent., such reduction to have effect from August 1st, 1895, on the same terms as are notified with respect to the Four per cent. Loan of 1842-43 in Notification No. 3257 of this date.

2. Clauses 3 (except for the substitution of the proper year or date for "1842-43"), 4, 6, 7, 8, 9 and 10 of the said Notification apply to tenders made under this Notification. In the case of Loan Certificates with coupons attached, each outstanding coupon will be stamped "Interest reduced to 3½ per cent." before the certificate is returned to the proprietor.

3. On Notes tendered under this Notification the following differences of interest will, as soon as possible after the Notes are tendered, be paid in anticipation:

(*a*) On Notes of the Four per cent. Loan of 1854-55 on account of difference of interest from June 30th, 1894, to July 31st, 1895, eight annas and eight-and-a-half-pies per Rs. 100;

(*b*) On Notes of the Four per cent. Loan of 1st May 1865 on account of difference of interest from May 1st, 1894, to July 31st, 1895, ten annas per Rs. 100 ;

(*c*) On Notes of the Reduced Four per cent. Loan of 1879 on account of difference of interest from July 16th, 1894, to July 31st, 1895, eight annas and four pie per Rs. 100, besides the regular payment of interest at four per cent. per annum due on July 16th, 1894.

4. All future payments of interest will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

5. The Secretary of State will issue a corresponding Notification in London stating the terms on which Notes of the three loans above mentioned will be received for reduction of interest by the Bank of England.

No. 3259.

Simla, the 30th June 1894.

It is hereby notified that until further orders no transfers may be made between one Four per cent. Loan and another, and no Stock Certificates of one such loan may be issued in lieu of Notes of another :

Provided that—

(1) Notes of the 4 per cent. Sicca Rupee Loan of 1832-33 will be received up to noon of Saturday, July 28th, 1894, for transfer to the 3½ per cent Loan of 1st May 1865. Upon such Notes the excess over an even hundred of rupees will be paid in cash, and the new Note will be issued for the balance only. The payment in adjustment of interest will be made as provided in clause 3 (*b*) of Notification No. 3258 of this date.

(2) Notes of the Four per cent. Loan of 1835-36 will be received up to noon of Saturday, July 28th, 1894, for transfer to the 3½ per cent. Loan of 1st May 1865. The adjustment payment in this case will be fifteen annas and six pie per Rs. 100, being as nearly as possible the excess of four per cent. interest for March 31st, 1894, to July 31st, 1895, payable on the old Note over 3½ per cent. interest from May 1st, 1894, to July 31st, 1895, payable on the new Note.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JUNE 30, 1894.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 25th June 1894.

No. 12.—In exercise of the power conferred by Section 17 of the Indian Councils Act, 1861 (24 and 25 Vict., Chap. 67), the Governor-General in Council has been pleased to appoint Thursday, the 12th July 1894, at 11 A.M., as the time, and the Council Chamber in the Viceregal Lodge, Simla, as the place, for a meeting of the Council of the Governor-General for the purpose of making Laws and Regulations.

S. HARVEY JAMES,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

No. 3183-*Ex.*

Simla, the 26th June 1894.

RESOLUTION—By the Government of India, Finance and Commerce Department.

Read—

Resolution in this Department, No. 661-P., dated the 6th February 1894, regarding the grant of exchange compensation allcwance to officers of Government in Foreign Service.

The Governor-General in Council directs that paragraph 3 of the Resolution read in the preamble, ruling that exchange compensation allowance to an officer in Foreign Service of the first kind should be calculated on assumed pay, and in other cases on the actual sanctioned salary of the officer, be cancelled.

ORDER.—Ordered, that this Resolution be communicated to the several Departments of the Government of India; to all Local Governments and Administrations; to all Heads of Departments subordinate to the Finance Department; to the Comptroller and Auditor-General; and to all Accountants-General and Comptrollers.

(Original papers returned to the Public Works Department.)

Ordered also, that the Resolution be published in the *Gazette of India.*

STEPHEN JACOB,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 29th June 1894.

APPOINTMENTS.

MEDICAL DEPARTMENT.

No. 626.—With reference to G. G. O. No. 234 of 1894, it is notified that the tenure of the appointment of Surgeon-Colonel W. P. Warburton, M.D., in the administrative grade of the Indian Medical Service, Bengal, will reckon from the 17th January 1894.

FURLOUGH AND LEAVE.

No. 634.—The undermentioned officers have been granted extensions of furlough or leave by the Secretary of State for India:

Lieutenant-Colonel A. S. Roberts, General List, Infantry, Deputy Commissioner, 1st Grade, Punjab, (m. c.) for three months.

* * * * * * * *

PROMOTIONS.

SUBORDINATE MEDICAL DEPARTMENT.

No. 639.—In accordance with the Royal Warrant dated 12th March 1894, the undermentioned senior Assistant Surgeons are granted (subject to Her Majesty's approval) honorary rank, with effect from the 12th March 1894, but to rank for purposes of precedence and other advantages attaching to their honorary military rank from the dates given below:

As Honorary Surgeon-Captains.

* * * * * * * *

James Barker,—12th March 1894.

* * * * * * * *

P. J. MAITLAND,

for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 23rd June 1894.

No. 269.—Mr. J. M. Campion, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as a Superintending Engineer, 3rd Class, during the absence on privilege leave of Mr. J. E. Hilton, or until further orders.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 12, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 7TH, 1894.

MILITARY DEPARTMENT.

Simla, the 6th July 1894.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 667.—*Punjab Light Horse*—

Alexander Angus, Gentleman, to be Lieutenant to complete the establishment.

No. 668.—*1st Punjab Volunteer Rifle Corps*—

Surgeon-Captain Francis Frederic Perry (Surgeon-Major, Indian Medical Service) to be Surgeon-Major under the provisions of clause 49, India Army Circulars, 1894.

P. J. MAITLAND,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 19, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 14TH, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 11th July 1894.

No. 702-F.—With reference to the Notification of this Department, No. 564-F., dated the 25th May last, Mr. G. G. Minniken, Deputy Conservator of Forests, 1st grade, Punjab, is transferred to the Central Provinces, and appointed to officiate as Conservator, 3rd grade, in charge of the Southern Forest Circle, with effect from the 5th July 1894, and until further orders.

Mr. Dobbs, Deputy Conservator, 3rd grade, Central Provinces, held charge of the Southern Forest Circle, in addition to his own duties, from 10th April to 4th July 1894, both dates inclusive.

E. C. BUCK,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 13th July 1894.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 689.—*Punjab Light Horse*—

Ernest Newton Walter Lewin, Gentleman, to be Second-Lieutenant to complete the establishment.

No. 690.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Nicol Finlayson Mackenzie, Esquire, to be Captain, with effect from the 25th June 1894, *vice* Whyte, resigned.

Lieutenant Robert Ernest Tomlin, Royal Engineers, to be Second-Lieutenant, with effect from the 25th June 1894, to complete the establishment.

P. J. MAITLAND,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 26, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 21ST, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

EXAMINATIONS.

The 17th July 1894.

No. 229.—*Erratum.*—In rule 18 of the rules for the regulation of appointments in the Secretariat Clerical Service of the Government of India and attached Offices, published with Home Department Resolution No. $\frac{\text{2-Ex.}}{\text{188—199}}$, dated the 5th ultimo, *for* "Surgeon" *read* "Surgeon-Captain."

MEDICAL.

The 19th July 1894.

No. 423.—The services of the undermentioned officers of the Indian Medical Service (Bengal), which were placed temporarily at the disposal of the Government of the Punjab by the notifications marginally cited, are placed permanently at the disposal of that Government, with effect from the dates noted against their names:

No. 328, dated 22nd June 1893.
No. 358, dated 30th June 1893.

Surgeon-Captain A. Coleman,—17th January 1894.

Surgeon-Captain H. R. C. Barber, M.B., B. Ch.,—19th May 1894.

SANITARY.

The 19th July 1894.

No. 157.—Surgeon-Lieutenant-Colonel W. A. C. Roe, I.M.S. (Bengal), at present officiating as Sanitary Commissioner of the Punjab, is confirmed in that appointment, with effect from the 19th May 1894.

JUDICIAL.

The 17th July 1894.

No. 761.—The services of Captain D. Beames, 19th Punjab Infantry, are placed at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate of Jullundur, with effect from the 25th June 1894.

The 20th July 1894.

No. 788.—The services of Captain K. Chesney, 18th Bengal Lancers, are placed at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate of Ferozepore.

J. P. HEWETT,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

FORESTS.

Simla, the 17th July 1894.

No. 734.*F.*—In the Notification of this Department, No. 142-F., dated the 26th January last, ordering certain transfers in the interests of the public service, *for* " Mr. F. S. Barker, Deputy Conservator, 4th grade, Central Provinces (on furlough)," *substitute* " Mr. H. A. Hoghton, Deputy Conservator, 4th Grade, Central Provinces."

E. C. BUCK,

Secretary to the Government of India.

GENERAL.

The 19th July 1894.

No. 3198—72.—Mr. D. C. J. Ibbetson, C.S., whose services are placed at the disposal of the Government of India by Punjab Government Notification No. 890, dated 13th instant, is appointed to officiate as Secretary in the Department of Revenue and Agriculture during the absence of Sir E. C. Buck, KT., C.S.I., on furlough.

E. D. MACLAGAN,

Under-Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 20th July 1894.

APPOINTMENTS.

MEDICAL DEPARTMENT.

No. 694.—With reference to G. G. O. No. 533 of 1894, it is notified that the tenure of the appointment of Surgeon-Colonel A. Stephen, M.B., in the administrative grade of the Indian Medical Service, Bengal, will reckon from the 19th May 1894.

LONDON GAZETTE.

No. 701.—The following extracts are published for general information:

" London Gazette," dated the 22nd June 1894, pages 3574 and 3575.

INDIA OFFICE,

22nd June, 1894.

The Queen has approved of the following promotions among the officers of the Indian Medical Service * * * * * made by the Government in India:

BENGAL MEDICAL ESTABLISHMENT.

To be Surgeon-Colonel.

Brigade-Surgeon-Lieutenant-Colonel Daniel O'Connell Raye, M.D. dated 2nd April 1894.

Surgeon-Majors to be Surgeon-Lieutenant-Colonels.

Dated 31st March 1894.

Samuel Haslett Browne, M.D.

* * * * *

Surgeon-Captains to be Surgeon-Majors.

Dated 1st April 1894.

Richard Havelock Charles, M.D.

* * * * *

P. J. MAITLAND,

for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 20th July 1894.

No. 298.—Lála Phul Chand Rae, Apprentice Engineer, Punjab, is promoted to Assistant Engineer, old 3rd Grade, with effect from the 26th June 1894.

F. L. O'CALLAGHAN,

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JULY 21ST, 1894.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

REORGANISATION OF THE SERVICE OF WHOLE TIME CANTONMENT MAGISTRATES IN INDIA.

No. $\frac{9\text{-Judl.}}{774-781}$.

Extract from the Proceedings of the Government of India in the Home Department (Judicial),—under date Simla, the 18th July 1894.

READ—

Home Department Circular letter No. $\frac{15\text{-Judicial}}{810-815}$, dated the 12th July 1893.

Reply from the Government of Madras, No. 2034, dated the 3rd October 1893, to Military Department.

" " the Government of Bombay, No. 6885, dated the 2nd November 1893.

" " the Government of Bengal, No. 3632-A., dated the 10th August 1893.

" " the Government of the North-Western Provinces and Oudh, No. 2297, dated the 8th August 1893.

" " the Government of the Punjab, No. 6-C., dated the 18th October 1893.

" " the Chief Commissioner of the Central Provinces, No. 5901, dated the 5th August 1893.

" " the Chief Commissioner of Burma, No. 740—4-C.-5, dated the 25th July 1893.

RESOLUTION.

IN the Circular letter quoted in the preamble it was suggested by the Government of India that Cantonments which have special Cantonment Magistrates should be divided into two classes, *viz.*, important (those with a civil population of 10,000 or more) and minor Cantonments (those with a civil population of less than 10,000), with a view to the appointment of the most experienced officers to the posts considered most onerous and responsible. It was also stated that one of the essential features of the new scheme to improve the service of Cantonment Magistrates, which has lately been introduced, is the establishment of a general service to form the recruiting ground for a large portion of the Judge Advocate-General's Department. The Local Governments concerned were asked whether, in order to give effect to the objects mentioned, they would agree to the transfer of Cantonment Magistrates being made irrespective of Presidency and Province, and to the selection and appointment of these officers being left to the Government of India.

2. The Governor-General in Council is glad to observe that the suggested classification of Cantonments has been everywhere accepted, except as regards certain Cantonments under the Foreign Department where the circumstances are peculiar; the Cantonments to which it will be applied are shewn in the annexed list.

3. The proposal that the selection and appointment of Cantonment Magistrates for these Cantonments should be left to the Government of India is also generally accepted. The Government of Madras point out that the formal appointment as Magistrate must (under Section 12 of the Code of Criminal Procedure, 1882, and Section 7 of the Cantonments Act, 1889) remain with the Local Government; the Government of Bombay would add a proviso that as many places on the general cadre of Cantonment Magistracies as there are sole charge Cantonment Magistracies in the Bombay Command should be filled by officers of the Bombay Army, if properly qualified; and His Honor the Lieutenant-Governor of the Punjab urges that privilege leave vacancies should be filled locally as at present. The Governor-General in Council is pleased to direct that in future the Government of India will nominate officers to the Department. The services of the officers selected from time to time will be placed at the disposal of the Local Governments, who will then empower them in accordance with the Acts quoted. In making selections the Government of India will endeavour to secure that officers having local experience in each Province and Presidency shall be duly represented, as far as possible, in the Cantonments therein situated. Vacancies for not more than three months may be filled up as at present by the Local Governments without reference to the Government of India.

4. Some exception has been taken to the proposed transfer of officers between different Presidencies and Provinces. The Governments of the North-Western Provinces and Oudh and of the Punjab, under which the majority of the Cantonments are, seem to anticipate administrative inconvenience if this proposal is accepted. Sir Charles Crosthwaite considers that in the larger Cities and Cantonments in his Province it is essential to have officers of long experience and knowledge on the spot who would be capable of dealing with the people in emergencies such as occasionally arise in those places; His Honor thinks that if military officers appointed as Cantonment Magistrates are no longer to be subject to transfer and removal under the orders of the Local Government, and are to be changed from one Province to another, they will begin to consider themselves independent of the authority of the District Magistrate to whom they are by law subordinate; and that probably officers who have been found wanting in one Province will be transferred to another and appointed to stations without any regard to their knowledge of the language and the customs of the people, or to their special fitness for the requirements of the stations to which they may be posted. Sir Dennis Fitzpatrick desires that only officers of at least five years' experience as Cantonment Magistrate, who have passed all the necessary examinations and who have been habitually conducting the business of their courts in the Hindustani language within the two previous years, should be transferred from other parts of India to the Punjab. His Honor the Lieutenant-Governor of Bengal also deprecates the transfer of an officer from one Presidency to another with which he is unacquainted.

5. It seems to the Governor-General in Council that the object of the proposal has been somewhat misapprehended. When it was suggested that an important Cantonment should be understood to mean one the charge of which should, unless for exceptional reasons, be held by an officer of at least five years' experience as a Cantonment Magistrate who has passed all the necessary examinations, while a minor Cantonment might be held by a Cantonment Magistrate of less experience, provided no other officers were available, it was not intended that a hard and fast rule should be laid down. One of the main objects of the changes proposed is to secure the most experienced officers for the most onerous and responsible charges, as well as to give more officers an opportunity of gaining experience in important Cantonments so as to qualify for selection for the Judge Advocate-General's Department. The Government of India in no way wish to waste

local knowledge and experience by frequent transfers to distant parts of India. Ordinarily, an officer of over five years' experience and in charge of an important Cantonment would not be transferred to another Province; but it seems obvious that in many cases there will be a distinct administrative advantage in transferring an officer who has gained considerable experience in a minor Cantonment to a Cantonment in another Province where there are only officers of little or no experience available. Cases such as those mentioned by His Honor the Lieutenant-Governor of the Punjab, of Cantonment Magistrates in charge of important Cantonments who have less than five years' experience, but have acquired a considerable knowledge of the laws, language and customs of the Province in which they are serving, would usually be treated as exceptional; such officers would not be transferred when it would, on the whole, be advantageous that they should not be moved. The Government of India do not propose to transfer any officer without consulting the Local Governments concerned, or without communicating the confidential reports concerning his character and capacity. If it is shown that it will be a distinct administrative advantage not to make a proposed transfer, the rule will be relaxed. Subject to the rule as to the qualification of five years' experience for an important Cantonment Magistracy, the Government of India will not limit the power of Local Governments to transfer Cantonment Magistrates within the Provinces as before; but if it is desired to make an exception to the five years' rule, a previous reference should be made to the Government of India.

6. With these reservations the proposal to make transfers irrespective of Presidency and Province, which is essential to the scheme of an Imperial Department of Cantonment Magistrates leading up to the Judge Advocate-General's Department, appears, in the opinion of the Governor-General in Council, to be likely to prove of advantage to the administration, and His Excellency in Council desires that it should be tried.

7. It is therefore decided that the officers serving in the Cantonment Magistracies in the appended list be formed into an Imperial service under the Home Department of the Government of India, to which applications for leave of absence for more than three months should be made through the Local Government, and to which all communications concerning vacancies of more than that period should be addressed. Furthers orders will be issued on some subsidiary matters, such as the qualifying examination to be passed by candidates for appointment to the Department.

Madras.
Bombay.
Bengal.
North-Western Provinces and Oudh.
Punjab.
Central Provinces.
Burma.

ORDER.—Ordered that this Resolution be communicated to the Local Governments and Administrations marginally noted, for information and guidance, and to the Foreign and Military Departments and the Department of Finance and Commerce, for information, and that it be published in the Supplement to the *Gazette of India*.

[True Extract.]

J. P. HEWETT,

Offg. Secretary to the Government of India.

Important Cantonment Magistracies.

Name.	Population.	Local Government.
1. Umballa	51,016	Punjab.
2. Meerut	45,734	North-Western Provinces and Oudh.
3. Kaptee	37,904	Central Provinces.
4. Rawalpindi	37,870	Punjab.
5. Poona—Kirkee	32,620	Bombay.
6. Mhow	31,773	Foreign Department.
7. Ferozepore	25,187	Punjab.
8. Agra	21,469	North-Western Provinces and Oudh.
9. Sialkot	21,122	Punjab.
10. Peshawar	21,112	Ditto.

Important Cantonment Magistracies—concluded.

Name.		Population.	Local Government.
11. Lucknow	... ...	20,794	North-Western Provinces and Oudh
12. Cawnpore	... ...	19,000	Ditto. ditto.
13. Mandalay	... ...	18,744	Burma.
14. Meean Meer	... ...	17,257	Punjab.
15. Jullundur	... ...	15,827	Ditto
16. Neemuch	... ...	15,291	Foreign Department.
17. Barrackpore and Dum-Dum	...	14,911	Bengal.
18. Rangoon	... ...	14,556	Burma.
19. Dinapore	... ...	14,153	Bengal.
20. St. Thomas' Mount	...	13,137	Madras.
21. Nowgong	... ...	10,902	Foreign Department.
22. Belgaum	... ...	10,733	Bombay.
23. Bareilly	... ...	10,557	North-Western Provinces and Oudh.
24. Allahabad	... ...	10,540	Ditto ditto.
25. Mooltan	... ...	10,297	Punjab.

Minor Cantonment Magistracies.

26. Deesa	... ...	9,660	Bombay.
27. Fyzabad	... ...	6,235	North-Western Provinces and Oudh.
28. Benares	... ...	5,689	Ditto ditto.
29. Ranikhet	... ...	4,500	Ditto ditto.
30. Jhansi	... ...	3,730	Ditto ditto.
31. Roorkee	... ...	2,370	Ditto ditto.
32. Chakrata	... ...	1,511	Ditto ditto.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 2, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 10TH, 1894.

MILITARY DEPARTMENT.

Fort William, the 9th March 1894.

PROMOTIONS.

No. 234.—The following promotions are made, subject to Her Majesty's approval :—

* * * * * * *

MEDICAL DEPARTMENT.

To be Surgeon-Colonels.

Brigade-Surgeon-Lieutenant-Colonel George Cumberland Ross, with effect from the 1st January 1894, *vice* Surgeon-Colonel C. P. Costello, retired.

* * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JULY 28TH, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENT.

Simla, the 26th July 1894.

No. 394.—Mr. W. Coldstream has been permitted to resign Her Majesty's Indian Civil Service with effect from the 1st June 1894.

ECCLESIASTICAL.

The 27th July 1894.

No. 185.—In exercise of the powers conferred by section 36 of the Births, Deaths and Marriages Registration Act, 1886, the Governor-General in Council is pleased to direct

the substitution of the following rule for rule 20 of the rules published in Home Department Notification No. 1173, dated the 19th July 1888, regarding the maintenance of registers of fees realized under those rules:

"20. Every Registrar-General and every Registrar who is a Government servant and not a Minister of Religion shall keep a register in the form set forth in Schedule L of all fees realised under these rules, and shall forward such fees at the end of each month to the nearest treasury to be credited to Government. The Treasury Officer shall give each Registrar a certificate of the amount so credited, and the Registrar shall send a copy of the certificate to the Registrar-General. Registrars who are not Government servants or who are Ministers of Religion may retain for their own use any fees which they may realize under these rules."

J. P. HEWETT,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 27th July 1894.

APPOINTMENTS.

MEDICAL DEPARTMENT.

No. 710.—With reference to G. G. O. No. 234 of 1894, it is notified that the tenure of the appointment of Surgeon-Colonel G. C. Ross, in the administrative grade of the Indian Medical Service, Bengal, will reckon from the 1st January 1894.

VOLUNTEER CORPS.

RESIGNATIONS.

No. 731.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Captain F. W. Egerton (Major, Indian Staff Corps), unattached list, resigns his commission.

P. J. MAITLAND,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, AUGUST 9, 1894

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 4TH, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 2nd August 1894.

No. 774 *F.*—Mr. J. A. McKee, Conservator of Forests, Assam (on furlough), is transferred in the interests of the public service to the Central Provinces as Conservator of the Southern Forest Circle.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 3rd August 1894.

CANTONMENTS.

TAXATION.

No. 739.—Under the powers conferred by Section 25 of the Cantonments Act (XIII of 1889), the Governor-General in Council is pleased to extend to the Murree Cantonment sections 145 and 146 of the Punjab Municipal Act (XX of 1891).

FURLOUGH AND LEAVE.

No. 746.—Veterinary-Captain H. M. Maxwell, Superintendent, Civil Veterinary Department, Derajät and Baluchistán, is granted leave out of India, (p. a.) for three months, under the leave rules applicable to officers of the British Army serving in India.

No. 747.—The undermentioned officers have been granted extensions of furlough or leave by the Secretary of State for India:

Colonel C. H. T. Marshall, Indian Staff Corps, Divisional Judge, 1st Grade, Punjab, (p. a.) for seven days.

* * * * * * * * *

P. J. MAITLAND,

for *Secretary to the Government of India.*

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED AUGUST 4TH, 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

No. $\frac{17}{38}$.

Extract from the Proceedings of the Government of India in the Department of Revenue and Agriculture (Horse-Breeding and Agricultural Stock),—dated Simla, the 2nd August 1894.

Read—

Annual Administration Report of the Civil Veterinary Department in India for the official year 1892-93.

RESOLUTION.

THE Report submitted by Veterinary Lieutenant-Colonel Hallen for the official year 1892-93 is the first Report on the operations of the new Civil Veterinary Department, and as such represents a period of transition. The new Department provides superior posts for sixteen officers, all of which are now filled; but, owing to the fact that the proposed furlough and pension rules which were submitted to the Secretary of State in August 1892 have not yet been authoritatively issued, the conditions of service in the new Department are undefined, and the administration of the Department cannot therefore be so effectively carried on as it will be when the position of the officers is more assured.

2. The Civil Veterinary Department may be regarded as a development of the old "Horse-Breeding Department" which was maintained until about four and-a-half years ago under military control, and which dealt solely with the utilization of the stallions, about 300 in number, imported at imperial expense from Europe or Arabia. Experience having proved that the success of horse-breeding operations depended much upon the co-operation of civil officers as well as of leading landholders and native gentlemen with whom civil rather than military officers were brought into official contact, the measure was adopted of transferring the Imperial Horse-Breeding Department to the Department of Revenue and Agriculture. The step thus taken had the advantage, firstly, of facilitating the expansion of horse-breeding operations by encouraging the utilization of sires other than those which are imported at imperial expense, which for the purposes of this Resolution will be termed imperial stallions; secondly, of permitting the employment in other directions of veterinary officers hitherto restricted to duties connected with horse-breeding; thirdly, of forming at once the basis of a Civil Veterinary Department which should deal with cattle and cattle disease, the formation of which had from the time of Lord Mayo been urged both by the Government of India and successive Secretaries of State; and, fourthly, of placing the veterinary officers under the organized control of provincial authorities.

3. This brief sketch of the expansion of the Imperial Horse-Breeding Department into a department with wider functions will make it clear that the chief duty of the officers of the Department is not only to maintain imperial horse-breeding operations at the level which they had reached when the old Department was incorporated in the new, but to raise and improve them. A guarantee was in fact given to the Military Department that this responsibility should be distinctly upheld, and that in all matters connected with the purchase, management, and distribution of imperial stallions the authority of the Military Department should be unimpaired. The Inspector-General is required to distinctly recognise the importance of horse-breeding in connection with military requirements by a division of his Administration Report into two parts, the first of which deals solely with operations connected with imperial stallions and with cognate duties devolving upon veterinary officers of the old Department before its incorporation. The Provincial officers have not in their reports observed the rule with sufficient uniformity, but will in future years be required to give it full effect.

The second part of the Inspector-General's report deals with the expansion of horse-breeding operations, so far as they are independent of imperial stallions, with veterinary education, with cattle and cattle disease, and with the administrative and financial details of the Department as a whole. The arrangement of subjects in Part II requires improvement, but the question is one which can more conveniently be discussed in separate instructions to the Inspector-General than in a review of the report under consideration. It is sufficient for the present to observe that adequate prominence has not been given to the subject of cattle disease.

4. With reference first to Part I of the Inspector-General's report, which, as already indicated, is brought under the special review of the Military Department, the Government of India have reason to conclude from the summary presented by Veterinary Lieutenant-Colonel Hallen that the operations of the Department in connection with imperial stallions so far as they depended on the exertions of the provincial officers have been, to say the least, zealously maintained at the high standard of former years. The increase in the number of branded mares and in the demand for high class stallions is encouraging. The only subject for regret is the short supply of both horse and donkey stallions from England. Attention will be called in the proper quarters to this circumstance, as it is recognised that a failure to maintain the stallion power at the full level established must interfere greatly with the progress which the officers of the Department have done their best to secure.

Turning now to Part II of the report, the first subject to be noticed is the extension of horse-breeding by the agency of "district stallions," *i.e.*, stallions other than those which are imperial. The subject was one to which strong attention was drawn in this Department Circular No. $\frac{18}{4}$, dated the 25th May 1892. It was then explained that the main object in view was by the employment of sires cheaper and smaller than the high class stallions imported by the Imperial Government to raise gradually the standard of the country-bred animal until a very much larger number of mares fit to be served by high class sires should be forthcoming. The progress made in this direction since the Department was formed is not very clearly shown, and should be more precisely indicated in future reports. It is mentioned, however, that 64 applications have been received for district stallions in the North Western Provinces, and that 27 stallions have been established in the Punjab. The Government of India trust that within a short time the number of district stallions maintained at the cost of Provincial and Local funds, or of private landholders and gentlemen, will at least be equal to the number maintained by the Imperial Government, and, while thanking the Local Governments for the strong encouragement shown by them in response to the invitation of the Imperial Government to the promotion of district horse-breeding, take the present opportunity of urging the renewal of their efforts to extend the movement. Signs have not been wanting that the wealthier and more intelligent members of the agricultural community are beginning to take a personal interest in the subject, and that in many cases they will not be slow to respond for their own advantage to official encouragement.

5. The action taken by Veterinary Lieutenant-Colonel Hallen in the development of a breeding farm at Bábugarh, where all operations connected with raising fodder are carried on by horse and pony power instead of by cattle power, has supplied an useful object lesson, whereby civil officers may attract the attention of native gentlemen to the subject. The system is one which in the hands of landed proprietors must prove an economical method of carrying on a large breeding farm, and has, indeed, for purposes of raising forage, been adopted as the cheapest plan in the stud farms of the Remount Department. The accounts of the Bábugarh farm should be so kept as to supply more precise estimates of the relative cost of raising forage by cattle on the one hand, and by the horse power available in the stables of a breeding establishment on the other.

6. The next subject to be dealt with are those of cattle-breeding and cattle disease. These, as already intimated, have not been sufficiently noticed in the report under review. The information at present available is, however, far too scanty to justify for the present any positive action of a general character in connection with either the one or the other. It cannot, for instance, as yet be asserted to what extent the cattle in any part of India can be improved by the distribution of sires on the lines adopted in connection with horse-breeding. At the same time it seems reasonable to presume that the transportation of bulls of the best breeds from one part of the country to another must have useful effect. Some evidence of the truth of this proposition has been obtained from the results secured at the Hissar breeding farm and in those Punjab districts to which bulls have been supplied from the Hissar farm. But it has yet to be proved whether the examples thus afforded are based upon a sufficiently complete knowledge of cattle-breeding in India, and it has therefore been determined as a first step to obtain full information of the character and qualities of the various breeds in different parts of the country. Properly organized enquiries have accord-

ingly been set on foot under the orders of the Government of India by the Inspector-General's Department as to the relative qualities and value of the more important breeds which are to be found in each province.

7. A similar policy has been carried out in connection with cattle disease. It has now been acknowledged by the Government of every Province in India that the European methods of preventing or coping with cattle disease, which must, to be effectual, involve the slaughter of cattle, are inapplicable to this country. The main hope of repressing diseases of destructive character seems to be in the discovery of appropriate vaccines, though much good can be also done by segregation of diseased animals. Great doubts have, however, been expressed by experts whether the types of many of the diseases which prevail in India are identical with those which have been determined in Europe. The Government of India have therefore, on the one hand, directed a close and careful enquiry into the character of diseases which occur in each Province, and on the other have taken measures for the bacteriological investigation of the more important of them under the direction of a qualified European expert. The locality first chosen for bacteriological investigations, Poona, was unfortunately found to be unsuited in climate for the purpose, and, pending the transfer of the laboratary to a more favourable position, the officer, Dr. Lingard, whose services had been procured as a bacteriologist, devoted his time to the investigation of a destructive disease known as *surra*, peculiar to the moister tropical regions. His researches have thrown considerable light on the causes and symptoms of the disease, and have indicated the direction in which its cure may be effected.

8. While the measures described in the preceding paragraph have been taken, the Government of India have encouraged as far as possible the promotion of education in veterinary knowledge. Before the formation of the Department, two veterinary educational institutions existed,—one at Bombay, which had been supported largely by local contributions, the other at Lahore, where a school had been demanded by the requirements of the Military Department for trained veterinary assistants. The policy now established is that the Bombay institution where the course is in English, should be recognized as a college at which the highest class veterinary diploma can be obtained ; that the Lahore institution should be maintained at a somewhat higher level than other provincial schools, Bombay excepted, in order to meet military requirements ; that elsewhere education of a subordinate character should be made available. When, as time goes on, more precise information has been obtained regarding cattle diseases, and when the possibility of providing effective vaccines has been established, each province will, it may be hoped, be equipped with a staff of veterinary assistants and inspectors through whose agency some effectual measures may be carried out for the prevention or cure of the diseases which now cause such wholesale destruction of agricultural wealth. In future reports by the Inspector-General the progress which has been made in the directions indicated in this and the two foregoing paragraphs should be clearly and fully described.

9. In conclusion, the Government of India convey their thanks to the officers of the Department who, under the somewhat trying circumstances alluded to in the first paragraph, have carried on with zeal and loyalty the work of the new Department under the Inspector-General, and especially to Veterinary Major G. J R. Rayment, Veterinary Captains J. Mills, J. A. Nunn, J. W. A. Morgan, W. D. Gunn, Veterinary Lieutenants H. T. Pease and G. H. Evans.

It is with much regret that the Government of India have to record the retirement in May 1894 of Veterinary Lieutenant-Colonel J. H B. Hallen, C. I. E., who, after serving the Government of this country in various capacities for a period of 44 years, consented in 1889, at the age of 60 years, to undertake the organization of the Civil Veterinary Department. It is due to his untiring patience and tact and to his constant zeal that the Department is now fully equipped with veterinary officers, and has been placed in a position to fulfil the important duties which lie before it. The Governor-General in Council wishes to record his sense of the valuable assistance which in this as in other directions Veterinary Lieutenant-Colonel Hallen has rendered to the material interests of the country in which he has so long laboured.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the Local Governments and Administrations noted in the margin for information and guidance and favour of communication to the Department of Agriculture and Civil Veterinary Officers of the Province.

Government of Madras.
" Bombay.
" Bengal.
" the North-Western Provinces and Oudh.
Government of the Punjab.
Chief Commissioner, Central Provinces.
Chief Commissioner, Burma.
" " Ajmere-Merwara.
Resident at Hyderabad.

Ordered also, that a copy be forwarded to the Foreign Department for information and favour of communication to the Agents to the Governor-General in Rájputána and Baluchistán.

Ordered also, that a copy be forwarded to the Military Department and the Inspector-General, Civil Veterinary Department, for information.

Ordered also, that a copy be published in the Supplement to the *Gazette of India.*

[True Extract.]

DENZIL IBBETSON,

Offg. Secretary to the Government of India,

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 16, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA EXTRAORDINARY," DATED AUGUST 13TH, 1894.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4092.

Simla, the 13th August 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof:]

1. Notice is hereby given that all the Notes of the Four per cent. Loan of 1st May 1865 which do not on this date stand enfaced for payment of interest at any Treasury or Public Debt Office other than Calcutta will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on Saturday, December 1st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Saturday, September 15th, 1894, of tendering their Notes for reduction of interest from 4 per cent. to 3½ per cent., such reduction to have effect from February 1st, 1895.

3. The reduced loan thus constituted will be known as the 3½ per cent. Loan of 1st May 1865, and no part of it will be paid off or discharged before August 1st, 1904, nor until the expiration of three months after notice of payment to be given by the Governor-General of India in Council in the *Government Gazette.*

4. Notes may be tendered for reduction of interest at the Public Debt Office, Bank of Bengal, Calcutta. Notes so tendered must bear the following endorsement duly signed:

"This Note (or Stock Certificate) is tendered for reduction of interest in terms of Notification of August 13th, 1894."

5. On Notes so tendered (in addition to any interest already due and payable on them) the difference of interest from May 1st, 1894, till January 31st, 1895, namely six annas per Rs. 100, will be paid as soon as possible after the Notes are tendered.

6. Every Note so tendered will be enfaced in the following terms before it is returned to the proprietor:

"The interest payable on this Note is reduced to 3½ per cent., and the principal amount will not be discharged before August 1st, 1904."

7. All future payments of interest on any Note so enfaced will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

8. When a Note so enfaced comes in ordinary course under renewal, it will be renewed in its original form, save that—

(1) For "four per cent." will be substituted "three-and-a-half per cent."

(2) A clause will be added at the end—"The Governor-General in Council hereby engages that this Note shall not be discharged before August 1st, 1904."

9. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this Notification a legal signature to the endorsement mentioned in clause 4 cannot be given by noon of Saturday, September 15th, 1894, then in such case the tender will be accepted if the Note be left in the custody of the Public Debt Office before noon of Saturday, September 15th, and the tender be legally signed before noon of Wednesday, October 3rd, 1894. This clause does not apply if the proprietor has an Attorney in India empowered to sell.

10. In addition to the above payment of interest, a further payment of two annas per Rs. 100 will be made as brokerage of commission to the receipt of the person, whether proprietor or agent, who tenders the Note for reduction of interest.

11. None of the Notes advertised for discharge in paragraph 1 of this Notification will from this date be enfaced for payment of interest elsewhere than at Calcutta unless first converted under paragraph 2.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4093.

Simla, the 13th August 1894.

Notice is hereby given that, notwithstanding anything contained in Notification No. 4092 of this date, the terms and conditions of tender for reduction of interest from four per cent. to three-and-a-half per cent. offered in Notifications Nos. 3257, 3258, and 3259 of 30th June 1894 (reprinted below) will remain in force until noon of Monday, August 27th, 1894, except as regards Notes of the Loan of 1842-43.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

No. 3257.

Simla, the 30th June 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof;]

1. Notice is hereby given that all the Notes of the Four per cent. Loan of 1842-43 will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on November 1st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Saturday, July 28th, 1894, of tendering their Notes for reduction of interest from four per cent. to 3½ per cent., such reduction to have effect from August 1st, 1895.

3. The reduced loan thus constituted will be known as the 3½ per cent. Loan of 1842-43, and no part of it will be paid off or discharged before August 1st, 1904, nor until the expiration of three months after notice of payment to be given by the Governor-General of India in Council in the *Government Gazette*.

4. Notes may be tendered for reduction of interest at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England), or Treasury to which they are for the time being enfaced for payment of interest. Notes so tendered must bear the following endorsement duly signed :

"This Note (or Stock Certificate) is tendered for reduction of interest in terms of Notification of June 30th, 1894."

5. On Notes so tendered (in addition to any interest already due and payable on them) interest will, as soon as possible after the Notes are tendered, be paid in anticipation, namely :

(1) Two Rupees per Rs. 100 falling due on August 1st, 1894;

(2) Eight annas per Rs. 100, being the difference of interest accruing up to July 31st, 1895.

6. Every Note so tendered will be enfaced in the following terms before it is returned to the proprietor :

"The interest payable on this Note is reduced to 3½ per cent., and the principal amount will not be discharged before August 1st, 1904."

7. All future payments of interest on any Note so enfaced will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

8. When a Note so enfaced comes in ordinary course under renewal, it will be renewed in its original form, save that—

(1) For "four per cent." will be substituted "three-and-a-half per cent."

(2) A clause will be added at the end—"The Governor-General in Council hereby engages that this Note shall not be discharged before August 1st, 1904."

9. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this notification a legal signature to the endorsement mentioned in clause 4 cannot be given by noon of Saturday, July 28th, 1894, then in such case the tender will be accepted if the Note be left in the custody of the Public Debt Office, Bank, or Treasury (as the case may be), and the tender be legally signed before noon of Saturday, August 18th, 1894.

10. In addition to the above payment of interest, a further payment of two annas per Rs. 100 will be made as brokerage or commission to the receipt of the person, whether proprietor or agent, who tenders the Note for reduction of interest.

11. The Secretary of State will issue a notification in London stating the terms on which Notes hereby advertised for discharge will be received for reduction of interest by the Bank of England.

No. 3258.

Simla, the 30th June 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates issued in lieu thereof" and "Loan Certificates with coupons attached."]

Notice is hereby given that proprietors of Notes of any of the following Four per cent. Loans, namely :

Four per cent. Loan of 1854-55,
" " " 1st May 1865,
Reduced Four per cent. Loan of 1879,

may tender their Notes before noon of Saturday, July 28th, 1894, for reduction of interest from 4 to 3½ per cent., such reduction to have effect from August 1st, 1895, on the same terms as are notified with respect to the Four per cent. Loan of 1842-43 in Notification No. 3257 of this date.

2. Clauses 3 (except for the substitution of the proper year or date for "1842-43") 4, 6, 7, 8, 9 and 10 of the said Notification apply to tenders made under this Notification In the case of Loan Certificates, with coupons attached, each outstanding coupon will be stamped "Interest reduced to 3½ per cent." before the certificate is returned to the proprietor.

3. On Notes tendered under this Notification the following differences of interest will, as soon as possible after the Notes are tendered, be paid in anticipation:

(a) On Notes of the Four per cent. Loan of 1854-55 on account of difference of interest from June 30th, 1894, to July 31st, 1895, eight annas and eight-and-a-half pies per Rs. 100;

(b) On Notes of the Four per cent. Loan of 1st May 1865 on account of difference of interest from May 1st, 1894, to July 31st, 1895, ten annas per Rs. 100;

(c) On Notes of the Reduced Four per cent. Loan of 1879 on account of difference of interest from July 16th, 1894, to July 31st, 1895, eight annas and four pies per Rs. 100; besides the regular payment of interest at four per cent per annum due on July 16th, 1894.

4. All future payments of interest will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

5. The Secretary of State will issue a corresponding Notification in London stating the terms on which Notes of the three loans above mentioned will be received for reduction of interest by the Bank of England.

No. 3259.

Simla, the 30th June 1894.

It is hereby notified that until further orders no transfers may be made between one Four per cent. Loan and another and no Stock Certificates of one such loan may be issued in lieu of Notes of another:

Provided that—

(1) Notes of the 4 per cent. Sicca Rupee Loan of 1832-33 will be received up to noon of Saturday, July 28th, 1894, for transfer to the 3½ per cent. Loan of 1st May 1865 Upon such Notes the excess over an even hundred of rupees will be paid in cash, and the new Note will be issued for the balance only. The payment in adjustment of interest will be made as provided in clause 3 (b) of Notification No. 3258 of this date.

(2) Notes of the Four per cent. Loan of 1835-36 will be received up to noon on Saturday, July 28th, 1894, for transfer to the 3½ per cent. Loan of 1st May 1865. The adjustment payment in this case will be fifteen annas and six pies per Rs. 100, being as nearly as possible the excess of four per cent. interest from March 31st, 1894, to July 31st, 1895, payable on the old Note over 3½ per cent. interest from May 1st, 1894, to July 31st, 1895, payable on the new Note.

FROM THE "GAZETTE OF INDIA," DATED AUGUST 11TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 7th August 1894.

No. 2007 *M.*—His Excellency the Viceroy and Governor-General will leave Simla on Wednesday, the 24th October 1894, and visit Dharmsala, Amritsar, Sukkur, Quetta, Shikarpur, Karachi, Mooltan, Khanki, Rawalpindi, Peshawar, Khewrah, Lahore, Karnal, Delhi, Cawnpore, and Rewah.

2. His Excellency will hold Durbars at Quetta and Lahore.

3. His Excellency will arrive at Calcutta on Saturday, the 15th December 1894.

By Command,

A. DURAND, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 10th August 1894.

No. 418.—The services of Lieutenant A. C. Elliott, Assistant Commissioner, Punjab are temporarily placed at the disposal of the Government of Bengal.

MEDICAL.

The 10th August 1894.

No. 474.—Surgeon-Captain M. A. Ker, I.M.S. (Bengal), is appointed to officiate as Joint Medical Officer of Simla, with effect from the 3rd July 1894, during the absence of Surgeon-Major J. Moorhead, M.D., I.M.S. (Bengal), on privilege leave, or until further orders.

J. P. HEWETT,

Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 23, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-M.—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	...	...	...	3rd November 10 P.M,
Karachi	...	...	...	10th ,, 9-30 P.M.
Ráwalpindi	...	...	...	16th ,, 9-30 P.M.
Pesháwar	...	...	...	19th ,, 9-30 P.M.
Lahore	...	...	...	20th ,, 9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above Stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistán for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue Cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two Cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress ; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 14th August 1894.

No 1808-*F.*—Whereas the Governor-General in Council has power and jurisdiction within the territory of Kurram: In exercise of such jurisdiction, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to make the following orders in respect of criminal proceedings against all persons, other than British subjects, accused of having committed within the said territory any of the following offences, namely:—

Murder;
Culpable homicide not amounting to murder;
Adultery;
Rape;
Robbery;
Dacoity; and
Rioting.

1. The Officer on Special Duty in Kurram for the time being shall exercise, within the limits of the territory under his control, the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1882.

2. The Commissioner and Superintendent of the Peshāwar Division for the time being shall exercise the powers of a Court of Session and a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Officer on Special Duty in Kurram; provided that the said Officer on Special Duty shall not commit any accused person for trial to the Commissioner acting as a Court of Session, and provided that every sentence of imprisonment for a term exceeding five years passed by the Officer on Special Duty in Kurram shall be subject to confirmation by the said Commissioner.

3. The Commissioner and Superintendent of the Peshāwar Division for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by the Officer on Special Duty in Kurram; except that, when an accused person is sentenced to death, the said powers of a High Court as a Court of Appeal, Reference, and Revision shall be exercised not by the Commissioner and Superintendent of the Peshāwar Division, but by the Lieutenant-Governor of the Punjab and its Dependencies, and no sentence of death passed by the Officer on Special Duty in Kurram shall be carried out until it has been confirmed by the said Lieutenant-Governor.

4. In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the Officer on Special Duty in Kurram may take cognizance of an offence as a Court of Original Criminal Jurisdiction without the accused person being committed to him by a Magistrate; and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates.

5. In the exercise of this jurisdiction the Officer on Special Duty in Kurram may sentence any offender to any punishment warranted by the Indian Penal Code in respect of any of the offences above mentioned of which he may have been convicted, and may sentence any woman convicted of adultery to any punishment warranted by Section 32 of the Punjab Frontier Crimes Regulation (IV) of 1887 in respect of such offence.

W. J. CUNINGHAM,
Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

EXCISE.

Simla, the 17th August 1894.

No 4161-*Ex.*—The services of Mr. W. Mackworth Young, M.A., C.S.I., President of the Indian Hemp Drugs Commission, are replaced at the disposal of the Government of the Punjab, with effect from the afternoon of the 13th August 1894.

STEPHEN JACOB,
Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 17th August 1894.

VOLUNTEER CORPS.

PROMOTIONS.

No. 798.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Second-Lieutenant Walter Stewart Davis to be Lieutenant, *vice* Dockerill, deceased.

RESIGNATIONS.

No. 799—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Second-Lieutenant M. S. Taylor resigns his commission, with effect from the 20th July 1894.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 17th August 1894.

No. 333.—The Governor-General in Council is pleased to order the following promotions and reversions in and to the classes of Chief and Superintending Engineers, with effect from the dates specified, in supersession of those ordered in Public Works Department Notification No. 217, dated the 23rd May 1894:—

Names.	From	To	Nature of promotion.	With effect from
* *	* * *	* * *	*	* *
Marshall, Lieut.-Colonel G. F. L., C.I.E., R.E.	Chief Engineer, 2nd Class.	Chief Engineer, 1st Clsss	Temporary ...	7th April 1894.
* *	* * *	* * *	*	* *
Preston, S. ...	Superintending Engineer, 3rd Class.	Superintending Engineer, 2nd Class.	Temporary ...	8th April 1894.
* *	* * *	* * *	*	* *
Marshall, Lieut.-Colonel, G. F. L., C.I.E., R.E.	Chief Engineer, 1st Class, temporary rank.	Chief Engineer, 2nd Class	...	30th April 1894.
* *	* * *	* * *	*	* *
Preston, S. ...	Superintending Engineer 2nd Class, temporary rank.	Superintending Engineer, 3rd Class.	...	7th May 1894.
* *	* * *	* * *	*	* *

No. 335.—Mr. P. J. Creameor, Deputy Examiner of Accounts, attached to the Office of the Examiner of Public Works Accounts, Madras, is transferred to the Office of the Examiner of Public Works Accounts, Punjab.

No. 337.—The Governor-General in Council is pleased to order the following permanent and sub. *pro tempore* promotions to and in the classes of Chief and Superintending Engineers, with effect from the dates specified :—

Names.	From	To	Nature of promotion.	With effect from
* *	* * *	* * *	*	* *
Oliver, Mr. E. E. ...	Superintending Engineer, 1st Class, *temporary rank.* ...	Superintending Engineer, 1st Class ...	Sub. *pro tem.* ...	18th June 1894.
* *	* * *	* * *	*	* *
Miller, Lieut.-Colonel J. F. J., I.S.C.	Superintending Engineer, 1st Class, *temporary rank.*	Superintending Engineer, 1st Class.	Sub. *pro tem.* ...	29th June 1894.
* *	* * *	* * *	*	* *
Jacob, Lieut.-Colonel S. L., R.E.	Superintending Engineer, 1st Class, *temporary rank.*	Superintending Engineer, 1st Class.	Permanent ...	9th July 1894.
* *	* * *	* * *	*	* *
Ivens, Mr. T. E. ...	Superintending Engineer, 2nd Class, *temporary rank.*	Superintending Engineer, 2nd Class.	Sub. *pro tem.* ...	9th July 1894.
* *	* * *	* * *	*	* *

No. 338.—The Governor-General in Council is pleased to order the following *temporary* promotions and reversions to and in the classes of Chief and Superintending Engineers, with effect from the dates specified :—

Names.	From	To	With effect from
* *	* *	* *	*
Marshall, Lieutenant-Colonel G. F. L., C.I.E., R.E.	Chief Engineer, 2nd Class ...	Chief Engineer, 1st Class...	29th June 1894.
* *	* *	* *	*

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 30, 1894.

PART II.

Republications from the "Gazette of India."

HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 27th August 1894.

No. 442.—*Notification.*—Mr. C. E. Gladstone is permitted to resign Her Majesty's Indian Civil Service, with effect from the 1st September 1894, or the subsequent date on which he may sail from India or relinquish charge of office in the event of his not taking subsidiary leave.

J. P. HEWETT,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED AUGUST 25TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 24th August 1894.

No. 228.—The Reverend C. A. Gillmore, a Junior Chaplain on the Bengal (Lahore) Ecclesiastical Establishment, to be a Senior Chaplain, with effect from the 28th June 1894.

J. P. HEWETT,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 24th August 1894.

RETIREMENTS.

* * * *

No. 813.—Lieutenant Robert Straughan, Deputy Assistant Commissary, Public Works Department, is permitted to retire from the service, with effect from the 28th June 1894.

VOLUNTEER CORPS.

APPOINTMENTS.

* * * *

No. 818.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Lieutenant-Colonel (Honorary Colonel) William Sinclair Smith Bisset, C.I.E., Royal Engineers, to be Commandant, with effect from the 26th May 1894, on transfer from the Bombay, Baroda and Central India Railway Rifle Corps, *vice* Sir H. M. Durand, K.C.S.I., K.C.I.E., resigned.

(G. G. O. No. 507 of 1894 is cancelled.)

PROMOTIONS.

No. 821.—*Punjab Light Horse*—

Captain Arthur Grey, Commandant, to be Major to complete the establishment.

* * * *

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 22nd August 1894.

No. 348.—Mr. V. Stainton, Apprentice Engineer, Punjab, is permanently promoted to Assistant Engineer, old 3rd Grade, with effect from the 3rd July 1894.

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 6, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA EXTRAORDINARY," DATED 5TH SEPTEMBER 1894.

FOREIGN DEPARTMENT.

NOTIFICATION.

No. 1536-E.

Simla, the 3rd September 1894.

The following Proclamation is republished for general information and guidance :

THE LONDON GAZETTE EXTRAORDINARY.

Tuesday, August 7th, 1894.

By the QUEEN.

A PROCLAMATION.

VICTORIA, R.

Whereas We are happily at peace with all Sovereigns, Powers, and States ;

And whereas a state of war unhappily exists between His Majesty the Emperor of China and His Majesty the Emperor of Japan, and between their respective subjects and others inhabiting within their countries, territories, or dominions ;

And whereas We are on terms of friendship and amicable intercourse with each of these States, and with their subjects and others inhabiting within their countries, territories, or dominions ;

And whereas great numbers of Our loyal subjects reside and carry on commerce, and possess property and establishments, and enjoy various rights and privileges, within the territory of each of the aforesaid States, protected by the faith of Treaties between Us and each of the aforesaid States ;

And whereas We, being desirous of preserving to Our subjects the blessings of peace which they now happily enjoy, are firmly purposed and determined to maintain a strict and impartial neutrality in the said state of war unhappily existing between the aforesaid States ;

We therefore have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation ;

And We do hereby strictly charge and command all Our loving subjects to govern themselves accordingly, and to observe a strict neutrality in and during the aforesaid war, and to abstain from violating or contravening either the Laws and Statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril ;

And whereas in and by a certain Statute made and passed in a Session of Parliament holden in the 33rd and 34th year of Our reign, intituled " An Act to regulate the Conduct of Her Majesty's Subjects during the Existence of Hostilities between Foreign States with which Her Majesty is at Peace," it is, amongst other things, declared and enacted as follows :

" This Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters.

" Illegal Enlistment.

" If any person without the licence of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts, or agrees to accept, any commission or engagement in the military or naval service of any foreign State at war with any foreign State at peace with Her Majesty, and in this Act referred to as a friendly State, or, whether a British subject or not, within Her Majesty's dominions, induces any other person to accept, or agree to accept, any commission or engagement in the military or naval service of any such foreign State as aforesaid—

" He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

" If any person without the licence of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any foreign State at war with a friendly State, or, whether a British subject or not, within Her Majesty's dominions, induces any other person to quit or to go on board any ship with a view of quitting Her Majesty's dominions with the like intent—

" He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

" If any person induces any other person to quit Her Majesty's dominions, or to embark on any ship within Her Majesty's dominions, under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept, or agree to accept, any commission or engagement in the military or naval service of any foreign State at war with a friendly State—

" He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

" If the master or owner of any ship without the licence of Her Majesty knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty's dominions, any of the following persons in this Act referred to as illegally enlisted persons, that is to say ;

"(1) Any person who, being a British subject, within or without the dominions of Her Majesty, has without the licence of Her Majesty accepted, or agreed to accept, any commission or engagement in the military or naval service of any foreign State at war with any friendly State:

"(2) Any person, being a British subject, who without the licence of Her Majesty is about to quit Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any foreign State at war with a friendly State:

"(3) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged with the intent or in order that such person may accept, or agree to accept, any commission or engagement in the military or naval service of any foreign State at war with a friendly State:

"Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue, that is to say:

"(1) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour; and

"(2) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two Justices of the Peace, or other Magistrate or Magistrates having the authority of two Justices of the Peace; and

(3) All illegally enlisted persons shall, immediately on the discovery of the offence, be taken on shore, and shall not be allowed to return to the ship.

Illegal Shipbuilding and Illegal Expeditions.

"If any person within Her Majesty's dominions, without the license of Her Majesty, does any of the following acts, that is to say:

"(1) Builds, or agrees to build, or causes to be built, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State; or

"(2) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State; or

"(3) Equips any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State; or

"(4) Dispatches, or causes or allows to be dispatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State—

"Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue:

"(1) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"(2) The ship in respect of which any such offence is committed and her equipment shall be forfeited to Her Majesty:

"Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping if he satisfies the conditions following, that is to say:

"(1) If forthwith upon a Proclamation of Neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done, under the contract as may be required by the Secretary of State;

"(2) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for insuring that such ship shall not be despatched, delivered, or removed without the licence of Her Majesty until the termination of such war as aforesaid.

"Where any ship is built by order of or on behalf of any foreign State when at war with a friendly State, or is delivered to or to the order of such foreign State, or any person who to the knowledge of the person building is an agent of such foreign State, or is paid for by such foreign State or such agent, and is employed in the military or naval service of such foreign State, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign State.

"If any person within the dominions of Her Majesty, and without the license of Her Majesty,—

"By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting, the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any foreign State at war with any friendly State—

"Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"If any person within the limits of Her Majesty's dominions, and without the licence of Her Majesty,—

"Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly State, the following consequences shall ensue:

"(1) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"(2) All ships and their equipments, and all arms and munitions of war used in or forming part of such expedition, shall be forfeited to Her Majesty.

"Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender."

And whereas by the said Act it is further provided that ships built, commissioned, equipped, or dispatched in contravention of the said Act may be condemned and forfeited by Judgment of the Court of Admiralty; and that if the Secretary of State or chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within Our dominions has been or is being built, commissioned, or equipped contrary to the said Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be dispatched contrary to the Act, such Secretary of State or chief executive authority shall have power to issue a warrant authorizing the seizure and search of such ship and her detention until she has been either condemned or released by process of law: And whereas certain powers of seizure and detention are conferred by the said Act on certain local authorities:

Now, in order that none of Our subjects may unwarily render themselves liable to the penalties imposed by the said Statute, We do hereby strictly command that no person or persons whatsoever do commit any act, matter, or thing whatsoever contrary to the provisions of the said Statute upon pain of the several penalties by the said Statute imposed and of Our high displeasure.

And We do hereby further warn and admonish all Our loving subjects, and all persons whatsoever entitled to Our protection, to observe towards each of the aforesaid States, their citizens, subjects, and territories, and towards all belligerents whatsoever, with whom We are at peace, the duties of neutrality; and to respect, in all and each of them, the exercise of those belligerent rights which We and Our Royal predecessors have always claimed to exercise.

And We hereby further warn all Our loving subjects, and all persons whatsoever entitled to Our protection, that if any of them shall presume in contempt of this Our Royal Proclamation and of Our high displeasure to do any acts in derogation of their duty as subjects of a neutral Sovereign in a war between other States, or in violation or contravention of the law of nations in that behalf, as more especially by breaking, or endeavouring to break, any blockade lawfully and actually established by or on behalf of either of the said States, or by carrying officers, soldiers, despatches, arms, ammunition, military stores, or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usages of nations, for the use or service of either of the said States, that all persons so offending, together with their ships and goods, will rightfully incur and be justly liable to hostile capture, and to the penalties denounced by the law of nations in that behalf.

And We do hereby give notice that all Our subjects and persons entitled to Our protection who may misconduct themselves in the premises will do so at their peril, and of their own wrong; and that they will in nowise obtain any protection from Us against such capture, or such penalties as aforesaid, but will, on the contrary, incur Our high displeasure by such misconduct.

Given at Our Court at *Osborne House, Isle of Wight*, this seventh day of *August*, in the year of our Lord one thousand eight hundred and ninety-four, in the fifty-eight year of Our reign.

GOD Save the QUEEN.

The following letter addressed by Her Majesty's Secretary of State for Foreign Affairs to the Right Hon'ble Henry Hartley Fowler, Her Majesty's Secretary of State for India, is also published for general information and guidance:

FOREIGN OFFICE,
August 7, 1894.

MY LORDS,

HER Majesty being fully determined to observe the duties of neutrality during the existing state of war between the Emperor of China and the Emperor of Japan, and being moreover resolved to prevent, as far as possible, the use of Her Majesty's harbours, ports, and coasts, and the waters within Her Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to Your Lordships, for your guidance, the following rules, which are to be treated and enforced as Her Majesty's orders and directions:

Her Majesty is pleased further to command that these rules shall be put in force in the United Kingdom, the Isle of Man, and the Channel Islands on and after the 12th day of this month, and in Her Majesty's territories and possessions beyond the seas six days after the day when the Governor or other chief authority of each of such territories or possessions respectively shall have notified and published the same, stating in such Notification that the said rules are to be obeyed by all persons within the same territories and possessions.

1. During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station, or place of resort, for any warlike purpose, or for the purpose of obtaining any facilities for warlike equipment; and no ship of war of either belligerent shall hereafter be permitted to sail out of or leave any port, roadstead, or waters subject to British jurisdiction from which any vessel of the other belligerent (whether the same shall be a ship of war or a merchant ship) shall have previously departed until after the expiration of at least twenty-four hours from the departure of such last-mentioned vessel beyond the territorial jurisdiction of Her Majesty.

2. If any ship of war of either belligerent shall, after the time when this Order shall be first notified and put in force in the United Kingdom, the Isle of Man, and the Channel Islands, and in the several colonies and foreign possessions and dependencies of Her Majesty respectively, enter any port, roadstead, or waters belonging to Her Majesty, either in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, such vessel shall be required to depart and to put to sea within twenty-four hours after her entrance into such port, roadstead, or waters,

except in case of stress of weather, or of her requiring provisions or things necessary for the subsistence of her crew or repairs, in either of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as possible after the expiration of such period of twenty-four hours without permitting her to take in supplies beyond what may be necessary for her immediate use; and no such vessel which may have been allowed to remain within British waters for the purpose of repair shall continue in any such port, roadstead, or waters for a longer period than twenty-four hours after her necessary repairs shall have been completed. Provided, nevertheless, that in all cases in which there shall be any vessel (whether ships of war or merchants ships) of the said belligerent parties in the same port, roadstead, or waters within the territorial jurisdiction of Her Majesty, there shall be an interval of not less than twenty-four hours between the departure therefrom of any such vessel (whether ship of war or merchant ship) of the one belligerent, and the subsequent departure therefrom of any ship of war of the other belligerent; and the time hereby limited for the departure of such ships of war respectively shall always in case of necessity be extended so far as may be requisite for giving effect to this proviso, but no further or otherwise.

3. No ship of war of either belligerent shall hereafter be permitted, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in any supplies except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel to the nearest port of her own country or to some nearer destination, and no coal shall again be supplied to any such ship of war in the same or any other port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty without special permission until after the expiration of three months from the time when such coal may have been last supplied to her within British waters as aforesaid.

4. Armed ships of either party are interdicted from carrying prizes made by them into the ports, harbours, roadsteads, or waters of the United Kingdom, the Isle of Man, the Channel Islands, or any of Her Majesty's colonies or possessions abroad.

I have, &c.,

KIMBERLEY.

The Governor-General in Council is pleased to direct that the Orders and Directions of Her Majesty the Queen, Empress of India, as contained in the aforesaid Proclamation and Letter are to be obeyed by all persons within the limits of Her Majesty's territories and possessions in India.

By Order of the Governor-General in Council,

W. J. CUNINGHAM,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA EXTRAORDINARY" DATED SEPTEMBER 1ST, 1894.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4426.

Simla, the 1st September 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof and "Loan Certificates with coupons attached."]

1. Notice is hereby given that all the Notes of the 4 per cent. Loan of 1854-55 will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on December 31st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Wednesday, October 3rd, 1894, of tendering their Notes for reduction of interest from 4 per cent. to 3½ per cent., such reduction to have effect from December 31st, 1894, in the case of Notes tendered before noon of Monday, September 17th, and from June 30th, 1894, in the case of Notes tendered thereafter.

3. The reduced loan thus constituted will be known as the 3½ per cent. Loan of 1854-55, and no part of it will be paid off or discharged before August 1st, 1904, nor until the expiration of three months after notice of payment to be given by the Governor-General of India in Council in the *Government Gazette.*

4. Notes may be tendered for reduction of interest at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England) or Treasury to which they are for the time being enfaced for payment of interest. Notes so tendered must bear the following endorsement duly signed:—

"This Note (or Stock Certificate) is tendered for reduction of interest in terms of Notification of September 1st, 1894."

5. On Notes so tendered before noon of Monday, September 17th (in addition to any interest already due and payable on them), four annas per Rs. 100 will be paid on account of difference of interest from June 30th, 1894, till December 29th, 1894. On Notes tendered thereafter no payment on account of difference of interest will be made.

6. Every Note so tendered will be enfaced in the following terms before it is returned to the proprietor:—

"The interest payable on this Note is reduced to 3½ per cent., and the principal amount will not be discharged before August 1st, 1904."

In the case of Loan Certificates with coupons attached, each outstanding coupon will be stamped "Interest reduced to 3½ per cent." before the Certificate is returned to the proprietor.

7. All future payments of interest on any Note so enfaced will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

8. When a Note so enfaced comes in ordinary course under renewal, it will be renewed in its original form, save that—

(1) For "four per cent." will be substituted "three-and-a-half per cent."

(2) A clause will be added at the end—"The Governor-General in Council hereby engages that this Note shall not be discharged before August 1st, 1904."

9. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this notification a legal signature to the endorsement mentioned in clause 4 cannot be given by noon of Monday, September 17th, or Wednesday, October 3rd, 1894 (as the case may be), then in such case the tender will be accepted if the Note be left before such time in the custody of the Public Debt Office, Bank, or Treasury (as the case may be), and the tender be legally signed within twenty-one days thereafter. This clause does not apply if the proprietor has an Attorney in India empowered to sell.

10. In addition to the above payment of interest, a further payment of two annas per Rs. 100 will be made as brokerage or commission to the receipt of the person, whether proprietor or agent, who tenders the Note for reduction of interest.

11. The Secretary of State will issue a Notification in London stating the terms on which Notes hereby advertised for discharge will be received for reduction of interest by the Bank of England.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA EXTRAORDINARY" DATED SEPTEMBER 3RD, 1894.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4460.

Simla, the 3rd September 1894.

[In the following Notification " Notes " means " Promissory Notes of the Government of India " and includes " Stock Certificates issued in lieu thereof " :]

Notice is hereby given that proprietors of Notes of any of the following Four per cent. Loans, namely:

Four per cent. Loan of 1st May 1865, as far as not notified for discharge in Notification No. 4092, dated 13th August,

Reduced Four per cent. Loan of 1879,

may tender their Notes before noon of Monday, September 17th, 1894, for reduction of interest from 4 to 3½ per cent., such reduction to have effect from January 1st, 1895, on the same terms as are notified with respect to the Four per cent. Loan of 1854-55 in Notification No. 4426 of 1st September 1894.

2. Clauses 3 (except for the substitution of the proper year or date for " 1854 55 "), 4, 6, 7, 8 and 10 of the said Notification apply to tenders made under this Notification.

3. On Notes tendered under this Notification the following differences of interest will, as soon as possible after the Notes are tendered, be paid in anticipation :—

(*a*) On Notes of the Four per cent. Loan of 1st May, 1865, on account of difference of interest from May 1st, 1894, to December 31st, 1894, five annas and four pie per Rs. 100 ;

(*b*) On Notes of the Reduced Four per cent. Loan of 1879 on account of difference of interest from July 16th, 1894, to December 31st, 1894, three annas and eight pie per Rs. 100.

4. All future payments of interest will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

5. The Secretary of State will issue a corresponding Notification in London stating the terms on which Notes of the two loans abovementioned will be received for reduction of interest by the Bank of England.

No. 4461.

Simla, the 3rd September 1894.

It is hereby notified that—

(1) Notes of the 4 per cent. Sicca Rupee Loan of 1832-33 will be received up to noon of Monday, September 17th, 1894, for transfer to the 3½ per cent. Loan of 1st May, 1865. Upon such Notes the excess over an even hundred of rupees will be paid in cash, and the new Note will be issued for the balance only. The payment in adjustment of interest will be made as provided in clause 3 (*a*) of Notification No. 4460 of this date.

(2) Notes of the Four per cent. Loan of 1835-36 will be received up to noon of Monday, September 17th, 1894, for transfer to the 3½ per cent. Loan of 1st May, 1865. The adjustment payment in this case will be ten annas and ten pie per Rs. 100, being as nearly as possible the excess of Four per cent. interest from March 31st, 1894, to December 31st, 1894, payable on the old Note over 3½ per cent interest from May 1st, 1894, to December 31st, 1894, payable on the new Note.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 1ST, 1894.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 28th August 1894.

No. 1427.—In exercise of the powers conferred by section 17 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to direct—

(1) that the following sentence shall be substituted for the last sentence of rule 6 of the rules published under paragraph VI of the Notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879:

"It shall be a condition of such licenses that the arms, ammunition, or military stores imported shall either be deposited in a warehouse appointed under section 15 of the Sea Customs Act, 1878, or in a warehouse licensed under section 16 of the same Act, and sanctioned in this regard under section 7 of the Indian Arms Act, 1878, or that they shall be at once despatched to their destination under a separate license to transport."

(2) that the following clause shall be added to the conditions printed on the back of Form III of the forms of license prescribed by Home Department Notification No. 518, dated the 6th March 1879:

"The arms, ammunition, or military stores covered by this license shall either be deposited in a warehouse appointed under section 15 of the Sea Customs Act, 1878, or in a warehouse licensed under section 16 of the same Act, and sanctioned in this regard under section 7 of the Indian Arms Act, 1878, or shall be at once despatched to their destination under a separate license to transport."

J. P. HEWETT,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 31st August 1894.

No. 848-*F.*—Privilege leave for one month and twenty-nine days, under Articles 277 and 291 of the Civil Service Regulations, is granted to Mr. C. Bagshawe, Conservator of Forests, 1st Grade, Berar, with effect from the 27th August 1894.

Mr. H. Calthrop, Deputy Conservator, 4th (officiating 3rd) Grade, Berar, is appointed to hold charge of the Berar Forest Circle during Mr. Bagshawe's absence, or until further orders.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 31st August 1894.

CANTONMENTS.

TAXATION.

No. 827.—In exercise of the powers conferred by section 20 of the Cantonments Act (XIII of 1889), the Governor-General in Council is pleased to declare that in every cantonment in British India in which a tax on buildings, which is payable by the year or by instalments, is for the time being imposed under section 17, sub-section (1), clause (*a*), of that Act, all buildings which have not been occupied or productive of rent shall be exempt from payment of the said tax in the cases and to the extent hereinafter stated, namely,—

(*a*) When any such building as aforesaid has remained unoccupied and unproductive of rent throughout the year, or the period in respect of which any instalment is payable, such building shall be exempt from payment of the said tax or instalment for the said year or period, as the case may be.

(*b*) When any such building as aforesaid has not been occupied or productive of rent for any period of not less than thirty consecutive days, such building shall be exempt from payment of so much of the said tax or instalment as is proportionate to the number of days during which such building has not been occupied or productive of rent :

Provided that no such exemption shall be made unless notice in writing of the circumstances under which it is claimed has been given to the cantonment authority within the first fourteen days of the period in respect of which it is so claimed.

2. The burden of proving the facts entitling any person to claim relief under this notification shall lie upon him.

3. For the purposes of this notification—

(*a*) the phrase " tax on buildings " shall be deemed to include (1) every tax imposed on a building, whether jointly with any land or as forming part of a holding or otherwise, and (2) every tax imposed on the rental of any building or holding within a cantonment, and shall include the whole of every consolidated tax for general or mixed purposes, but shall not include any tax separately imposed on a building for water-supply, lighting, scavenging, or any other specific purposes ;

(*b*) neither the presence of a care-taker nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it shall constitute occupation of the house ;

(*c*) a building shall be deemed to be productive of rent if let to a tenant who has a continuing right of occupation thereof, whether it is actually occupied by such tenant or not.

4. The Resolution of the Government of India in the Military Department, No. 105-C., dated 30th January 1884, is hereby cancelled.

No. 828.—In exercise of the powers conferred by section 20 of the Cantonments Act (XIII of 1889), the Governor-General in Council is pleased to declare that in every cantonment in British India in which any tax upon persons owning or occupying buildings, holdings, or lands within a cantonment, according to their circumstances and property, which is payable by the year or by instalments, is for the time being imposed under section 17, sub-section (1), clause (*a*), of that Act, the value of any building, holding, or land which would under the Military Department Notification No. 827 *" Cantonments—Taxation,"* dated the 31st August 1894, by reason of such building, holding, or land being unoccupied or unproductive of rent be wholly exempt from a tax on buildings, shall be wholly disregarded ; and in the case of buildings, holdings, or lands which would be partially exempted from such tax on buildings as aforesaid, a proportional part only of such value shall be taken into account.

LONDON GAZETTE.

No. 831.—The following extracts are published for general information :

"London Gazette," dated the 7th August 1894, *pages* 4546 *and* 4547.

WAR OFFICE ;

Pall Mall, 7th August 1894.

BREVET.

* * * *

The undermentioned Lieutenant-Colonels to be Colonels. Dated 29th September 1893.

Royal Engineers.

George Frederick Leycester Marshall, C.I.E.

* * * *

INDIAN STAFF CORPS.

* * * *

Robert Warburton, C. S.I.

* * * *

PROMOTIONS.

No. 832.—The following promotions are made, subject to Her Majesty's approval :

INDIAN STAFF CORPS.

Lieutenants to be Captains,

25th August 1894.

* * * * *

Charles William Field.

* * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 13, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 8TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 7th September 1894.

No. 2337-*M.*—*Notification.*—His Excellency the Viceroy and Governor-General will leave Simla on Wednesday, the 24th October 1894, visit Dharmsála, Amritsar, Sukkur, Quetta, Shikárpur, Karáchi, Multan, Khánki, Ráwalpindi, Pesháwar, Khewrah, Lahore, Karnál, Delhi, Cawnpore and Rewah, and arrive in Calcutta on the 15th December 1894.

All covers intended to reach His Excellency the Viceroy and Governor-General during His Excellency's journey should be addressed "Governor-General's Camp" without the addition of any post-town.

The party accompanying His Excellency on tour is as follows:—

Her Excellency the Countess of Elgin.

Lady Elizabeth Bruce ...	Join at Lahore.
Lady Christian Bruce ...	
Lady Veronica Bruce ...	
Miss Bruce ...	
Mdlle. Krauth ...	
W. J. Cuningham, Esq., C.S.I., Foreign Secretary ...	Joins at Amritsar.
H. Babington Smith, Esq., Private Secretary to the Viceroy ...	Joins at Amritsar.
Lieutenant-Colonel A. Durand, C.B., Military Secretary to the Viceroy ...	Throughout the tour.
Brigade-Surgeon-Lieutenant-Colonel B. Franklin, Surgeon to the Viceroy ...	Throughout the tour.
A. Williams, Esq., C.S., Under-Secretary, Foreign Department ...	Will be at Quetta and Lahore.
Captain R. E. Grimston, A.-D.-C. ...	Joins at Lahore. On His Excellency's departure will proceed to Calcutta direct.

Captain Ponsonby, A.-D.-C. ...	Joins at Amritsar. Throughout the tour up to Lahore.
" Pollen, A.-D.-C. ...	Joins at Amritsar. Throughout the tour.
" Adam, A.-D.-C. ...	Throughout the tour up to Allahabad; thence will precede the party to Calcutta.
" Fuller, A.-D.-C. ...	Joins at Amritsar. Throughout the tour up to Multan. Rejoins at Lahore and completes rest of tour, remaining with Her Excellency at Allahabad.
" Baker-Carr, A.-D.-C. ...	Joins at Lahore, precedes party to Allahabad, and remains there with Her Excellency.
Subadár Sheik Imdád Ali Bahádur, A.-D.-C. ...	Joins at Lahore.
Subadár-Major Tára Sing, Sardár Bahádur, A.-D.-C. ...	Ditto.
Rái Dowlut Rám Bahádur, Superintendent of Mails ...	To Dharmsála and back to Pathánkot.
F. W. Latimer, Esq. ...	Joins at Amritsar. Throughout the tour.

All communications connected with business of a mere routine nature should be sent, as usual, to the head-quarters of the several Departments.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

SALARIES, ESTABLISHMENTS, &C.

COMPENSATION.

No. 4524-*Ex.*

The 7th September 1894.

RESOLUTION—By the Government of India, Finance and Commerce Department.

Read—

Resolution in the Department of Finance and Commerce, No. 3624 A., dated the 18th August 1893, regarding the grant of Exchange Compensation Allowance to European and Eurasian officers of Government not domiciled in India.

RESOLUTION.—The Governor-General in Council is pleased to rule that Exchange Compensation Allowance is admissible to officers on leave in India in the same way as to officers on duty.

This order will have retrospective effect from the 1st April 1893.

ORDER.—Ordered, that this Resolution be communicated to the several Departments of the Government of India; to all Local Governments and Administrations; to all Heads of Departments subordinate to the Finance Department; to the Comptroller and Auditor-General; and to all Accountants-General and Comptrollers.

Ordered also, that the Resolution be published in the *Gazette of India.*

STEPHEN JACOB,
Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 20, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA" DATED AUGUST 4TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 3rd August 1894.

No. 408.—Mr. F. D'O. Bullock has been permitted to resign Her Majesty's Indian Civil Service, with effect from the 7th June 1894.

J. P. HEWETT,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA" DATED AUGUST 25TH, 1894.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 23rd August 1894.

No. 350.—The following is published for general information :—

No. 434 R.-T., dated 17th August 1894.

RESOLUTION—By the Government of India, Public Works Department.

Local taxation of Railways in British India.

Read again—

Section 135 of the Indian Railways Act (IX) of 1890.

Government of India, Public Works Department, Notification No. 270, dated the 12th June 1890.

Government of India letter No 298 R-T., dated the 25th June 1890, explaining the intention of the Legislature in the matter of the local taxation of railways, and requesting that the Government of India may be furnished with complete schedules giving information in regard to the taxes which each railway administration was paying on the 30th April 1890 to local authorities as defined in Section 135 of the Indian Railways Act (IX) of 1890.

Government of India Nos. 857—59 R. T., dated the 19th November 1890, forwarding for information a tabulated statement of replies received from the several railway administrations, and intimating that the Government of India were pleased to depute Captain (now Major) R. C. Temple, B.S.C., to enquire locally into, and report to the Governor-General in Council upon the local taxation of railways.

Government of India, Public Works Department, Notification No. 136, dated the 5th April 1893.

Read also—

Letter, dated the 18th November 1891 (and its enclosures), from Major R. C. Temple, submmitting a report upon the local taxation of railways in India based upon enquiries made in the provinces of Bengal and Burma.

OBSERVATIONS.—The Governor-General in Council has perused with much interest the report submitted by Major Temple, which deals more especially with the local taxation of railways in Bengal and Burma, although the system of taxation adopted in other provinces has also been briefly reviewed. It would appear from the facts set forth in that report and the other papers before the Government that the taxes which are now being levied from the several railway administrations under the authority of the Government of India, Public Works Department, Notifications No. 270, dated the 12th June 1890, and No. 136, dated the 5th April 1893, are in their nature generally fair and reasonable, and that in the majority of cases the assessment of these taxes is moderate.

RESOLUTION.—The Governor-General in Council, having carefully considered the question, is of opinion that a general revision of the existing system of local taxation in regard to railways is unnecessary.

2. Should any railway administration, however, consider that any particular tax or its assessment is unreasonable or disproportionate to the services rendered, the Governor-General in Council is pleased to decide that an application for the revision of such tax or assessment should be made direct to the Commissioner in charge of the Division in which the tax is levied, or, where there is not such a Commissioner, to the officer holding a position corresponding to that of a Commissioner (*e.g.*, the Collector in the Presidency of Madras or the Deputy Commissioner in Sylhet or Cachar), who is hereby appointed under Section 135, sub-section (2), of the Indian Railways Act, 1890, to enquire specially into all the circumstances of the case, and determine, in communication with the contending parties, the sum, if any, which should be paid.

3. The Governor-General in Council further desires to call the attention of local authorities of the Government of India, Public Works Department, Notifications No. 270, dated the 12th June 1890, and No. 136, dated the 5th April 1893 (under which every railway administration was declared liable to pay all taxes legally in force during the year ended on 30th April 1890), and to direct that when it is sought to impose any new tax on a railway, application should be made through the Local Government concerned for the sanction of the Governor-General in Council under Section 135, sub-section (1), of the Act referred to above. In all such applications the reasons for imposing the new tax must be fully explained, and at the same time the views of the railway administration affected thereby should be obtained by the Local Government and submitted together with the application.

ORDER.—Ordered, that this Resolution be communicated to the Local Governments and Administrations and to the officers noted in the margin for information and guidance.

The Governments of Madras, Bombay, Bengal, North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners of the Central Provinces, Burma, Assam, and Coorg.
The Resident at Hyderabad.
The Resident in Mysore.
The Agents to the Governor-General for Central India, Rajputana, and Baluchistan.
The Director-General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, Central Division, and Assam.

Ordered also, that this Resolution be communicated to the Home Department and to the Accountant-General, Public Works Department, for information, and that it be published under a notification in Part I of the *Gazette of India.*

W. S. S. BISSET, *Lieut.-Colonel, R.E.*,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 15TH, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the 14th September 1894.

No. 1516.—The following clauses are added to Rule XII of the Rules for the transmission of memorials to Her Majesty's Government, published in Home Department Notification No. 707, dated the 29th March 1878 :—

(10) When a memorial is an appeal against a decision by any Local Municipal, or other authority which by any law or rule having the force of law is declared to be final.

(11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body

ECCLESIASTICAL.

The 14th September 1894.

No. 244.—The Reverend F. E. D. Cobbold, a Junior Chaplain on the Bengal (Lahore) Ecclesiastical Establishment, to be a Senior Chaplain, with effect from the 29th September 1894.

J. P. HEWETT,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 14th September 1894.

FURLOUGH AND LEAVE.

No. 861.—Colonel W. J. Parker, Indian Staff Corps, Divisional and Sessions Judge, 2nd grade, Punjab, has been permitted by the Secretary of State for India to reside out of India on vacating his civil appointment on 11th November 1894, under article 756 (*b*), Army Regulations, India, volume I, part I. Pension service—36th year commenced 16th December 1893.

LONDON GAZETTE.

No. 862.—The following extracts are published for general information :—

"London Gazette," dated the 17th August 1894, pages 4809, 4810, and 4811.

INDIA OFFICE,

The 17th August 1894.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Medical Services, and admissions to the Staff Corps, made by the Governments in India :—

* * * * * * *

BENGAL MEDICAL ESTABLISHMENT.

To be Surgeon-Colonel.

Brigade-Surgeon-Lieutenant-Colonel Arthur Stephen. Dated 19th May 1894.

* * * * * * *

VOLUNTEER CORPS.

RETIREMENTS.

No. 865.—*2nd Punjab (Simla) Volunteer Rifle Corps—*

Captain William Martin Towelle, Unattached List, resigns his commission, and is permitted, on retirement, to retain his rank and wear the uniform of the corps.

E. H. H. COLLEN,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER [illegible]

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the [illegible] September 1894.

[illegible] The following clauses are applied to [illegible] of the [illegible] Majesty's Government, published by the Home Department [illegible] dated the [illegible] March 1893 :—

[illegible]

[illegible]

ECCLESIASTICAL.

The [illegible] September 1894.

[illegible] The Reverend F. E. G. [illegible], a Junior Chaplain on the Bengal (Lahore) [illegible] establishment, to be a Senior Chaplain, with effect from the 20th September [illegible]

J. D. [illegible]

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the [illegible] September 1894.

FURLOUGH AND LEAVE.

[illegible] W. [illegible], Indian Staff Corps, [illegible] and [illegible], Punjab, has been permitted by the Secretary of State for India [illegible] India on [illegible] his civil appointment [illegible] part I, Furlough [illegible] 20th year [illegible] 30th December 1893.

LONDON GAZETTE.

[illegible] The following extracts are published for general information :—

"[illegible] Gazette," dated the [illegible] 1894, pages [illegible], 4810, and 4811.

INDIA OFFICE,

[illegible] 1894.

The Queen has approved of the following promotions among the officers of the [illegible] and Indian medical services, and admissions to the Staff Corps, made by the [illegible] in India :—

* * * *

BENGAL MEDICAL ESTABLISHMENT.

To be Surgeon-Colonel.

[illegible] Surgeon-Lieutenant-Colonel Arthur Stephen. Dated 19th May 1894.

* * * *

VOLUNTEER CORPS.

EXTRACTS.

[illegible] Rifle Corps.

[illegible] William [illegible] (Honorary) [illegible] resigns his commission, and is [illegible] to retain his rank and wear the uniform of the corps.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 27, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 15TH, 1894.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 21st August 1894.

No. 17.—The services of first grade Military Assistant Surgeon J. Davis are placed at the disposal of the Government of the Punjab.

W. R. RICE, *M. D.*,

Surgeon-General with the Government of India.

FROM THE "GAZETTE OF INDIA" DATED SEPTEMBER 22ND, 1894.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

The 15th September 1894.

No. 566.—The services of Surgeon-Captain M. A. Ker, I.M.S. (Bengal), are replaced at the disposal of the Military Department.

J. P. HEWETT,

Offg. Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4770.

Simla, the 20th September 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof.]

1. Notice is hereby given that all the Notes of the following Four per cent. Loans, namely:—

Four per cent. Loan of 1st May 1865, so far as not notified for discharge in Notification No. 4092, dated 13th August,

Reduced Four per cent. Loan of 1879,

will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on December 31st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Wednesday, October 3rd, 1894, of tendering their Notes for reduction of interest from 4 per cent. to 3½ per cent.; such reduction to have effect from July 1st, 1894.

3. The reduced loans thus constituted will be known as the 3½ per cent. Loans of 1st May 1865 and of 1879 respectively, and no part of them will be paid off or discharged before August 1st, 1904, nor until the expiration of three months after notice of payment to be given by the Governor-General of India in Council in the *Government Gazette.*

4. Notes may be tendered for reduction of interest at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England) or Treasury to which they are for the time being enforced for payment of interest. Notes so tendered must bear the following endorsement duly signed:—

"This Note (or Stock Certificate) is tendered for reduction of interest in terms of Notification of September 20th, 1894."

5. (*a*) On Notes of the Four per cent. Loan of 1st May 1865 so tendered, interest for the half-year ending 31st October 1894 will be paid at once as follows:—

	Rs.	A.	P.
For two months at 4 per cent.	0	10	8
For four months at 3½ per cent.	1	2	8
Total per Rs. 100 ...	1	13	4

And the next half-yearly payment of interest will be due on 1st May 1895.

(*b*) On Notes of the reduced Four per cent. Loan of 1879 so tendered, no payment in adjustment of interest will be made, and no demand will be made for refund of the excess four pie being the interest at one-half per cent. for the period from July 1st to July 15th, 1894, included in the half-yearly payment due on 16th July 1894, but the next half-yearly payment of interest, namely, Rs. 1-12-0 per Rs. 100, will be due on January 16th, 1895.

6. Every Note so tendered will be enfaced in the following terms before it is returned to the proprietor:—

"The interest payable on this Note is reduced to 3½ per cent., and the principal amount will not be discharged before August 1st, 1904."

7. All future payments of interest on any Note so enfaced will be made on the usual half-yearly dates as if the Note bore interest at 3½ per cent. instead of 4 per cent.

8. When a Note so enfaced comes in ordinary course under renewal, it will be renewed in its original form, save that—

(1) For "four per cent." will be substituted "three-and-a-half per cent."

(2) A clause will be added at the end—"The Governor-General in Council hereby engages that this Note shall not be discharged before August 1st, 1904."

9. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this Notification a legal signature to the endorsement mentioned in clause 4 cannot be given by noon of Wednesday, October 3rd, 1894, then in such case the tender will be accepted if the Note be left before such time in the custody of the Public Debt Office, Bank, or Treasury (as the case may be), and the tender be legally signed within twenty-one days thereafter. This clause does not apply if the proprietor has an Attorney in India empowered to sell.

10. A payment of two annas per Rs. 100 will be made as brokerage or commission to the receipt of the person, whether proprietor or agent, who tenders the Note for reduction of interest.

11. The Secretary of State will issue a notification in London stating the terms on which Notes hereby advertised for discharge will be received for reduction of interest by the Bank of England.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 4771.

Simla, the 20th September 1894.

Notice is hereby given that all the Notes of the following Four per cent. Loans, namely:

Four per cent. Sicca Rupee Loan of 1832-33; outstanding balance about Rs. 16 lakhs,

Four per cent. loan of 1835-36; outstanding balance about Rs. 55 lakhs,

will be discharged at the General Treasury of Fort William (Public Debt Office, Bank of Bengal, Calcutta) on December 31st, 1894, on which date the interest on such Notes will cease.

2. Proprietors of Notes hereby advertised for discharge have the option, which must be exercised before noon of Wednesday, October 3rd, 1894, of tendering their Notes for transfer to the 3½ per cent. Loan of 1st May 1865 on the following terms:—

(1) In the case of Notes of the Four per cent. Sicca Rupee Loan of 1832-33, the excess over an even hundred of rupees will be paid in cash and the new Note will be issued for the balance only. The payment in adjustment of interest and future payments of interest will be made as provided in clause 5 (*a*) of Notification No. 4770 of this date.

(2) In the case of Notes of the Four per cent. Loan of 1835-36 interest will be paid at once as follows:—

	Rs.	A.	P.
From March 31st, 1894, till June 30th, 1894, at 4 per cent.	1	0	2
From July 1st 1894, till October 31st, 1894, at 3½ per cent.	1	2	8
Total per Rs. 100 ...	2	2	10

And the next half-yearly payment of interest will be due on May 1st, 1895. (If the interest instalment due on September 30th has been paid before tender, then only the excess of 2 annas 10 pies will be paid.)

3. Notes may be tendered for transfer at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England) or Treasury to which they are for the time being enfaced for payment of interest. Notes so tendered must bear the following endorsement duly signed:—

"Received the amount of this Note by transfer to the 3½ per cent. Loan of 1st May 1865 under Notification of September 20th, 1894."

4. If by reason of the duly certified absence from India of the proprietor or of one of the proprietors of a Note included in the terms of this notification a legal signature to the endorsement mentioned in clause 3 cannot be given by noon of Wednesday, October 3rd, 1894, then in such case the tender will be accepted if the Note be left before such time in the custody of the Public Debt Office, Bank, or Treasury (as the case may be), and the tender be legally signed within twenty-one days thereafter. This clause does not apply if the proprietor has an Attorney in India empowered to sell.

5. In addition to the above payment of interest, a further payment of two annas per Rs. 100 will be made as brokerage or commission to the receipt of the person, whether proprietor or agent, who tenders the Note for transfer.

6. The Secretary of State will issue a notification in London stating the terms on which Notes hereby advertised for discharge will be received for transfer by the Bank of England.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

ACCOUNTS AND FINANCE.

RATES OF EXCHANGE.

The 21st September 1894.

No. 4810 *A.*—It is hereby notified that the official rate of exchange for the adjustment of financial transactions between England and India, and for the issue of pay to British troops serving in India, during the quarter ending 31st December 1894, has been fixed by the Secretary of State at 1 *s.* 1¼ *d.* the rupee.

STEPHEN JACOB,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

The 20th September 1894.

No. 362.—Mr. W. Smith, Executive Engineer, 2nd Grade, Punjab (on furlough), has been permitted to retire from the service of Government, under the special terms promulgated in Government of India, Public Works Department, Resolution Nos. 2873 G., and 463 G., dated the 2nd November 1893 and the 9th February 1894, respectively, with effect from the forenoon of the 2nd May 1894.

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 4, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-*M.*—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta ...	...	... 3rd November	10 P.M.
Karachi ...	...	... 10th "	9-30 P.M.
Ráwalpindi ...	...	... 16th "	9-30 P.M.
Pesháwar ...	...	... 19th "	9-30 P.M.
Lahore ...	...	... 20th "	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above Stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Balúchistán for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue Cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two Cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED SEPTEMBER 29TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

EDUCATION.

Simla, the 27th September 1894.

No. 259.—The services of Mr. T. C. Lewis, Inspector of Schools in the Punjab, are placed at the disposal of the Government of the North-Western Provinces and Oudh for employment as Director of Public Instruction in those Provinces.

J. P. HEWETT,
Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 28th September 1894.

No. 972-*F.*—Privilege leave for one month and twenty-nine days, under Articles 277 and 291 of the Civil Service Regulations, is granted to Mr. C. Bagshawe, Conservator of Forests, 1st Grade, Berar, with effect from the 27th August 1894.

Mr. H. Calthrop, Deputy Conservator, 4th (officiating 3rd) Grade, Berar, is appointed to officiate in the 3rd Grade of Conservators, and to hold charge of the Berar Forest Circle during Mr. Bagshawe's absence, or until further orders.

The Notification of this Department No. 848-F., dated the 30th ultimo, is hereby cancelled.

DENZIL IBBETSON,
Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 27th September 1894.

No. 1680-*E.*—The services of Mr. C. Tickell, Executive Engineer, 2nd Grade, Punjab, are replaced at the disposal of the Public Works Department.

W. J. CUNNINGHAM,
Secretary to the Government of India.

MILITARY DEPARTMENT.

FURLOUGH AND LEAVE.

Simla, the 28th September 1894.

No. 897.—The undermentioned officers and warrant officers have been granted extensions of furlough or leave by the Secretary of State for India:

* * * * * * * * *

Lieutenant-Colonel A. S. Roberts, General List, Infantry, Deputy Commissioner, 1st Grade, Punjab, (m. c.) for two months.

* * * * * * * * *

E. H. H. COLLEN,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 11, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-M.—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	...	...	...	3rd November	10 P.M.
Karachi	...	...	...	10th ,,	9-30 P.M.
Ráwalpindi	...	...	...	16th ,,	9-30 P.M.
Peshâwar	...	...	...	19th ,,	9-30 P.M.
Lahore	...	...	...	20th ,,	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above Stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Balúchistán for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue Cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two Cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress ; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED OCTOBER 6TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 4th October 1894.

No. 516.—Mr. A. H. Benton is permitted to resign Her Majesty's Indian Civil Service with effect from the 31st July 1894.

J. P. HEWETT,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

HORSE-BREEDING AND AGRICULTURAL STOCK.

Simla, the 2nd October 1894.

No. 2655—143.—The services of Veterinary-Lieutenant F. B. Drage, Superintendent, Civil Veterinary Department, North Punjab, are replaced at the disposal of the Military Department with effect from the date from which he is relieved of his duties.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 4th October 1894.

No. 1621-*G.*—The services of Mr. H. G. Waterfield, Assistant District Superintendent of Police, 1st Class, 3rd Grade, are replaced at the disposal of the Government of the Punjab with effect from the date on which he may relinquish charge of his duties as Officiating Assistant in Rájpútána to the General Superintendent of Operations for the Suppression of Thagi and Dakaiti.

W. J. CUNINGHAM,

Secretary to the Government of India.

MILITARY DEPARTMENT.

FURLOUGH AND LEAVE.

Simla, the 5th October 1894.

No. 919.—The leave granted to Veterinary-Captain H. M. Maxwell, Superintendent, Civil Veterinary Department, Deraját and Balúchistán, in G. G. O. No. 746 of 1894, is cancelled.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th October 1894.

No. 383.—The following temporary promotions are ordered in the Accounts Branch with effect from the 25th August 1894 :—

Names.	From	To
* * *	* * *	* * *
Rái Pandit Prem Náth, *Bahádur* ...	Examiner, 4th Class, 1st Grade ...	Examiner, 3rd Class.
* * *	* * *	* * *
Creameer, P. J.	Deputy Examiner, Class II ...	Deputy Examiner, Class I.
* * *	* * *	* * *

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, OCTOBER 18, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-*M.*—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	3rd November	10 P.M.
Karachi	10th "	9-30 P.M.
Ráwalpindi	16th "	9-30 P.M.
Peshâwar	19th "	9-30 P.M.
Lahore	26th "	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Balúchistán for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress ; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED OCTOBER 13TH, 1894.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 12th October 1894.

No. 21.—The following Statute is published for general information:

UNIFORMS ACT, 1894.

[57 AND 58 VICTORIA, CHAPTER 45.]

An Act to regulate and restrict the wearing of Naval and Military Uniforms.

[25TH AUGUST 1894.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Uniforms Act, 1894.

Military uniforms not to be worn without authority.

2. (1) It shall not be lawful for any person not serving in Her Majesty's Military Forces to wear without Her Majesty's permission the uniform of any of those forces, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform: Provided that this enactment shall not prevent—

(*a*) A member of a band from wearing at or for the purpose of a public performance by the band at any time within six years after the passing of this Act any dress which, at the passing of this Act, is the recognised uniform of the band, unless the dress is an exact imitation of the uniform of any of Her Majesty's military forces; or

(*b*) Any persons from wearing any uniform or dress in the course of a stage play performed in a place duly licensed or authorised for the public performance of stage plays, or in the course of a music hall or circus performance, or in the course of any *bonâ fide* military representation.

(2) If any person contravenes this section he shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for bringing contempt on uniform.

3. If any person not serving in Her Majesty's Naval or Military Forces wears without Her Majesty's permission the uniform of any of those forces, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform in such a manner or under such circumstances as to be likely to bring contempt upon that uniform, or employs any other person so to wear that uniform, or dress, he shall be liable on summary conviction to a fine not exceeding ten pounds, or to imprisonment for a term not exceeding one month.

Interpretation.

4. In this Act—

The expression "Her Majesty's Military Forces" means the regular forces, the reserve forces, and the auxiliary forces within the meaning of the Army Act, other than the naval coast volunteers and naval volunteers.

The expression "Her Majesty's Naval Forces" means the Navy, the naval coast volunteers, and the naval volunteers.

Commencement.

5. This Act shall come into operation on the first day of January one thousand eight hundred and ninety-five.

S. HARVEY JAMES,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

Simla, the 11th October 1894.

No. 631.—Surgeon-Major F. F. Perry, Professor of Surgery in the Lahore Medical College, at present officiating as Opthalmic Surgeon and Professor of Opthalmic Surgery in the Medical College, Calcutta, has obtained furlough on private affairs for six months, with effect from the date on which he may be relieved of his duties.

J. P. HEWETT,

Offg. Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 5080.

Simla, the 8th October 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof and "Loan Certificates with coupons attached."]

Whereas all outstanding Notes of the following four per cent. loans are now under notice of discharge and are liable to be discharged on the dates shown against them, that is to say—

Four per cent. Loan of 1842-43	November 1st, 1894.
" " " " 1st May 1865 (Calcutta portion) ...	December 1st, 1894.
" " " " " " (remaining portion)	December 31st, 1894.
Four per cent. Loan of 1835-36	December 31st, 1894.
" " " " 1854-55	December 31st, 1894.
" " sicca rupee loan of 1832-33	December 31st, 1894.
Reduced four per cent. Loan of 1879	December 31st, 1894.

It is hereby notified that Proprietors of any such Notes will be allowed the option of tendering them for transfer to the 3½ per cent. loan of 1893-94 on the following terms:

(1) The new Note will be of the same amount as the old Note except in the case of Notes of the Sicca Rupee Loan of 1832-33, in which case the excess over an even hundred of rupees will be paid in cash, and the new Note will be issued for the balance only.

(2) The new Note will bear interest from 31st December 1894.

(3) Except in the case of the Loans of 1879 and 1842-43, interest will be adjusted to 29th June 1894 inclusive, that is to say—

Loans of 1832-33 *and* 1865.—By payment of 10½ annas per cent. in addition to the payment (if any) due and payable on May 1st, 1894.

Loan of 1835-36.—By payment of one rupee per cent. in addition to the payment (if any) due and payable on March 31st, 1894. But if the interest instalment due on September 30th, 1894, has been paid before tender, the tenderer will be required to refund one rupee per cent.

Loan of 1854-55.—No payment after that due and payable on June 30th, 1894, will be made.

(4) In the case of the loans of 1879 and 1842-43 interest will be allowed up to their respective half-yearly dates, July 15th, 1894, and July 31st, 1894, and no further adjustment will be required.

(5) In all cases the tenderer will be required to abandon all claim for interest between the above dates, namely, 29th June, 15th July or 31st July (as the case may be) and 31st December 1894.

(6) Notes may be tendered for transfer at the Public Debt Office, Bank of Bengal, Calcutta, or at any other Bank (including the Bank of England) or Treasury to which they are for the time being enfaced for payment of interest. Notes so tendered must bear the following endorsement duly signed:

"Received the amount of this Note by transfer to the 3½ per cent. Loan of 1893-94 under Notification of October 8th, 1894."

(7) The Governor-General in Council reserves to himself the right to withdraw this Notification at any time when he deems fit to do so, and he will in any case withdraw it as soon as it is known that the aggregate balance outstanding for discharge is reduced to one crore of rupees.

(8) The Secretary of State will issue a Notification in London, stating the terms on which Notes of the four per cent. loans above mentioned will be received for transfer by the Bank of England.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th October 1894.

No. 385.—With reference to Foreign Department Notification No. 1680-E., dated 27th September 1894, the services of Mr. C. Tickell, Executive Engineer, 2nd Grade, are replaced at the disposal of the Government of the Punjab.

The 10th October 1894.

No. 389.—Lieutenant-Colonel J. W. Ottley, C.I.E., R.E., Chief Engineer and Secretary to the Government of the Punjab, Public Works Department, Irrigation Branch, is appointed Inspector-General of Irrigation and Deputy Secretary to the Government of India in the Public Works Department, in succession to Colonel F. J. Home, C.S.I., R.E.

No. 390.—Mr. T. Higham, Superintending Engineer, 1st Class, is appointed Chief Engineer and Secretary to the Government of the Punjab, Public Works Department, Irrigation Branch, in succession to Lieutenant-Colonel J. W. Ottley, C.I.E., R.E.

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 25, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-*M.*—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	3rd November	10 P.M.
Karachi	10th "	9-30 P.M.
Rawalpindi	16th "	9-30 P.M.
Peshawar	19th "	9-30 P.M.
Lahore	26th "	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistan for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED OCTOBER 20TH, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 18th October 1894.

No. 563.—The services of the undermentioned officers are placed at the disposal of the Government of the Punjab for employment in the Punjab Commission :—

Lieutenant D. B. Blakeway, 30th Punjab Infantry.

Lieutenant B. O. Roe, 5th Punjab Infantry.

MEDICAL.

The 16th October 1894.

No. 636.—The services of Surgeon-Captain F. H. Burton-Brown, M B., I.M.S. (Bengal), are placed at the disposal of the Foreign Department, with effect from the date on which he may be relieved of his duties as Officiating Professor in the Lahore Medical College.

JUDICIAL.

The 18th October 1894.

No. 1139.—Under the provisions of section 4 of the Punjab Courts Act, 1884, the Governor-General in Council is pleased to make the following appointments, consequent on the retirement of Mr. A. H. Benton, Indian Civil Service :—

Mr. A. W. Stogdon, I.C.S., temporary Additional Judge of the Chief Court, Punjab, to be a Judge of that Court.

Babu Protul Chandar Chatterji, Rai Bahadur, at present officiating as a Judge of the Chief Court, Punjab, to be Additional Judge temporarily, until further orders.

POLICE.

The 19th October 1894.

No. 635.—The services of Lieutenant F. C. D. Amesbury, District Superintendent of Police, Punjab, are replaced at the disposal of the Military Department, with effect from the 10th November 1894.

J. P. HEWETT,

Offg. Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

No. 5204-A.

Simla, the 16th October 1894.

Whereas under the Notification of this Department No. 3257, dated the 30th June 1894, all outstanding Promissory Notes of the Government of India and Stock-certificates of the 4 per cent. loan of 1842-43 are under notice of discharge on the 1st November 1894 ;

It is hereby notified that the said notes will be received for discharge, from and after this day, at the Public Debt Office, Bank of Bengal, Calcutta, and will be discharged in full including interest up to October 31st inclusive, as soon as they can be examined and passed for payment.

Nothing in this Notification affects the terms of the Notification No. 5080, dated the 8th October 1894, whereby proprietors of such notes and certificates have the option of tendering them for transfer to the 3½ per cent. loan of 1893-94.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

The 19th October 1894.

No. 5288 *A.*—Notice is hereby given that Government Promissory Notes and Stock of the 3½ per cent. loans may be transferred on the conditions stated below:

(*a*) from any one of the 3½ per cent. loans of 1842-43, 1854-55, 1st May 1865 and 1879 to any other of those loans;

(*b*) from the 3½ per cent. loan of 1853-54 to the 3½ per cent. loan of 1893-94.

2. The conditions on which such transfer is permitted are that—

(i) a full half year's interest is due on the Government Promissory Note or Stock Certificate at the time it is presented for transfer,

(ii) the new Note or Certificate will be issued bearing interest from the commencement of the current half year of the loan to which it appertains,

(iii) interest up to that date will be paid on the old Note or Certificate.

3. The usual fee for renewal will be charged on each new Note or Certificate issued.

4. This Notification supersedes paragraph 2 of the Notification in this Department, No. 4565-A., dated 20th October 1893.

STEPHEN JACOB,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 19th October 1894.

FURLOUGH AND LEAVE.

No. 962.—The undermentioned officers are granted furlough out of India:—

Colonel G. F. L. Marshall, C.I.E., Royal Engineers, Chief Engineer, 2nd Class, and Secretary to the Government of the Punjab, Public Works Department, (m. c) for one year,—111 days under rules IX and XV, and the remaining period under rule XIV, clause 2, of the regulations of 1868.

* * * * *

REWARDS.

GOOD SERVICE PENSIONS.

No. 972.—It is notified that, on the recommendation of the Government of India,

Her Majesty's Government have been pleased to confer good service pensions on the undermentioned officers, with effect from the dates specified :—

In place of Surgeon-Colonel E. O. Tandy, Indian Medical Service, Bengal, retired with the special additional pension of £250. Dated 2nd April 1894.

SURGEON-COLONEL JAMES CLEGHORN, M.D., INDIAN MEDICAL SERVICE.

Dates of Commission.

Assistant Surgeon	31st March 1865.
Surgeon	1st July 1873.
Surgeon-Major	31st March 1877.
Brigade-Surgeon	20th December 1888.
Deputy Surgeon-General ...	13th August 1891.

Appointments.

Regimental duty, 6th Bengal Native Infantry, in medical charge, 1865-67.

Regimental duty, 10th Bengal Native Infantry, in medical charge (officiating for some time in medical charge of the 6th Bengal Cavalry), 1867-70.

Civil Surgeon of Azimghar (officiating for some time at Jaunpur), 1870-72.

Officiating Civil Surgeon of Etawah, 1872-73.

Joint Civil Surgeon, Allahabad, and Superintendent of the District Jail, 1873-76.

Civil Surgeon, Naini Tal, 1876-77.

In medical charge of the camp of the Lieutenant-Governor of the North-Western Provinces, 1877-78.

Civil Surgeon, Naini Tal, Bara Banki, Mirzapore and Allahabad, 1878-85.

Officiating Superintendent, Presidency General Hospital, Calcutta, 1885-86.

Civil Surgeon and Superintendent of the Lunatic Asylum, Lucknow, 1886-91.

Deputy Surgeon-General and Inspector-General of Civil Hospitals, Punjab, 1891-94.

War services.

Bhutan, 1865-66.—(India medal and clasp).

* * * * *

VOLUNTEER CORPS.

APPOINTMENTS.

No. 974.—*Punjab Light Horse*—

Veterinary-Captain Joshua Arthur Nunn, D.S.O., Army Veterinary Department, to be Veterinary Captain.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 17th October 1894.

No. 395.—Mr. F. F. Hensley, Examiner of Accounts, attached to the Office of the Examiner of Public Works Accounts, Punjab, is, at the end of his privilege leave, transferred to the Office of the Examiner of Accounts, North-Western Railway.

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, NOVEMBER 1, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-M.—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	...	...	... 3rd November	10 P.M.
Karachi	...	...	... 10th ,,	9-30 P.M.
Rawalpindi	...	...	... 16th ,,	9-30 P.M.
Peshawar	...	...	... 19th ,,	9-30 P.M.
Lahore	...	...	... 26th ,,	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistan for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress ; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FROM THE "SUPPLEMENT TO THE GAZETTE OF INDIA," OCTOBER 20, 1894.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

Circular No. 22-F.

Extract from the Proceedings of the Government of India in the Department of Revenue and Agriculture (Forests),—dated Simla, the 19th October 1894.

Read—

Circular Resolution of this Department, No. 17-105-A., dated 15th July 1891.

Chapters VIII and IX of Dr. Völcker's Report on the Improvement of Indian Agriculture.

Review of Forest Administration in British India for 1892-93 by the Inspector-General of Forests.

RESOLUTION.

In Chapter VIII of his Report on the Improvement of Indian Agriculture, Dr. Völcker dwells at length upon the importance of so directing the policy of the Forest Department that it shall serve agricultural interests more directly than at present; and in his Review of Forest Administration for 1892-93, the Inspector-General of Forests discusses in some detail the principles which should underly the management of State forests in British India. While agreeing generally with the principles thus enunciated by the Inspector-General of Forests, the Government of India think that it will be convenient to state here the general policy which they desire should be followed in this matter; more especially as they are of opinion that an imperfect apprehension of that policy has, in some recent instances, been manifested.

2. The sole object with which State forests are administered is the public benefit. In some cases the public to be benefited are the whole body of tax-payers; in others, the people of the tract within which the forest is situated; but in almost all cases the constitution and preservation of a forest involve, in greater or less degree, the regulation of rights and the restriction of privileges of user in the forest area which may have previously been enjoyed by the inhabitants of its immediate neighbourhood. This regulation and restriction are justified only when the advantage to be gained by the public is great; and the cardinal principle to be observed is that the rights and privileges of individuals must be limited, otherwise than for their own benefit, only in such degree as is absolutely necessary to secure that advantage.

3. The forests of India, being State property, may be broadly classed under the following headings:—

(*a*) Forests the preservation of which is essential on climatic or physical grounds.
(*b*) Forests which afford a supply of valuable timbers for commercial purposes.
(*c*) Minor forests.
(*d*) Pasture lands.

It is not intended that any attempt should be made to class existing State forests under one or other of these four heads. Some forests may occupy intermediate positions, and parts of one and the same forest may fall under different heads. The classification is useful only as affording a basis for the indication of the broad policy which should govern the treatment of each class respectively; and in applying the general policy, the fullest consideration must be given to local circumstances.

4. The first class of forests are generally situated on hill slopes, where the preservation of such vegetation as exists, or the encouragement of further growth, is essential to the protection from the devastating action of hill torrents of the cultivated plains that lie below them. Here the interests to be protected are important beyond all comparison with the interests which it may be necessary to restrict; and, so long as there is a reasonable hope of the restriction being effectual, the lesser interests must not be allowed to stand in the way.

5. The second class of State forests include the great tracts from which our supply of the more valuable timbers—teak, sál, deodár, and the like—is obtained. They are for the most part (though not always) essentially forest tracts and encumbered by very limited rights of user; and when this is the case, they should be managed mainly on commercial lines as valuable properties of, and sources of revenue to, the State. Even in these cases, however, customs of user will for the most part have sprung up on the margins

of the forest; this user is often essential to the prosperity of the people who have enjoyed it; and the fact that its extent is limited in comparison with the area under forest renders it the more easy to continue it in full. The needs of communities dwelling on the margins of forest tracts consist mainly in small timber for building, wood for fuel, leaves for manure and for fodder, thorns for fencing, grass and grazing for their cattle, and edible forest products for their own consumption. Every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of these needs, if not free (as may be possible where a system of regular cuttings has been established), then at low and not at competitive rates. It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction.

There is reason to believe that the area which is suitable to the growth of valuable timber has been over-estimated, and that some of the tracts which have been reserved for this purpose might have been managed with greater profit both to the public and to the State, if the efforts of the Forest Department had been directed to supplying the large demand of the agricultural and general population for small timber, rather than the limited demand of merchants for large timber. Even in tracts of which the conditions are suited to the growth of large timber, it should be carefully considered in each case whether it would not be better, both in the interests of the people and of the revenue, to work them with the object of supplying the requirements of the general, and in particular of the agricultural population.

6. It should also be remembered that, subject to certain conditions to be referred to presently, the claims of cultivation are stronger than the claims of forest preservation. The pressure of the population upon the soil is one of the greatest difficulties that India has to face, and that application of the soil must generally be preferred which will support the largest numbers in proportion to the area. Accordingly, wherever an effective demand for culturable land exists, and can only be supplied from forest areas, the land should ordinarily be relinquished without hesitation; and if this principle applies to the valuable class of forests under consideration, it applies *à fortiori* to the less valuable classes which are presently to be discussed. When cultivation has been established, it will generally be advisable to disforest the newly-settled area. But it should be distinctly understood that there is nothing in the Forest Act, or in any rules or orders now in force, which limits the discretion of Local Governments, without previous reference to the Government of India (though, of course, always subject to the control of that Government) in diverting forest land to agricultural purposes, even though that land may have been declared reserved forest under the Act.

7. Mention has been made of certain conditions to which the application of the principle laid down in the preceding paragraph should be subject. They have for their object the utilization of the forest area to the greatest good of the community. In the first place, the honey-combing of a valuable forest by patches of cultivation should not be allowed; as the only object it can serve is to substitute somewhat better land in patches for sufficiently good land in large blocks, while it renders the proper preservation of the remaining forest area almost impossible. The evil here is greater than the good. In the second place, the cultivation must be permanent. Where the physical conditions are such that the removal of the protection afforded by forest growth must result, after a longer or shorter period, in the sterilization or destruction of the soil, the case falls under the principle discussed in paragraph 4 of this Resolution. So again a system of shifting cultivation, which denudes a large area of forest growth in order to place a small area under crops, costs more to the community than it is worth, and can only be permitted, under due regulation, where forest tribes depend on it for their sustenance. In the third place, the cultivation in question must not be merely nominal, and an excuse for the creation of pastoral or semi-pastoral villages, which do more harm to the forest than the good they reap from it. And in the fourth place, cultivation must not be allowed so to extend as to encroach upon the minimum area of forest which is needed in order to supply the general forest needs of the country, or the reasonable forest requirements, present and prospective, of the neighbourhood in which it is situated. In many tracts cultivation is practically impossible without the assistance of forests, and it must not be allowed to destroy that upon which its existence depends.

8. It has been stated above that the forests under consideration are generally, but not always, free from customs of user. When, as sometimes happens, they are so intermingled with permanent villages and cultivation that customary rights and privileges militate against their management as revenue-paying properties, the principles laid down at the end of paragraph 5 of this Resolution should be observed, and considerations of income should be made secondary to the full satisfaction of local needs. Such restrictions as may be necessary for the preservation of the forest, or for the better enjoyment of its benefits, should be imposed; but no restriction should be placed upon reasonable local demands, merely in order to increase the State revenues.

9. The third class of forests include those tracts which, though true forests, produce only the inferior sorts of timber or the smaller growths of the better sorts. In some cases the supply of fuel for manufactures, railways, and like purposes is of such importance that these forests fall more properly under the second class, and must be mainly managed as commercial undertakings. But the forests now to be considered are those which are useful chiefly as supplying fuel and fodder or grazing for local consumption; and these must be managed mainly in the interests of the population of the tract which supplies its forest requirements from this source. The first object to be aimed at is to preserve the wood and grass from destruction ; for user must not be exercised so as to annihilate its subject, and the people must be protected against their own improvidence. The second object should be to supply the produce of the forests to the greatest advantage and convenience of the people. To these two objects all considerations of revenue should ordinarily be subordinated.

10. It must not be supposed from the preceding remarks that it is the intention of the Government of India to forego all revenue from the large areas that are valuable chiefly for the fuel and fodder which they yield. Cases must be distinguished. Where the areas in question afford the only grazing and the only supply of fuel to villages which lie around or within them, the necessities of the inhabitants of these villages must be treated as paramount, and they should be satisfied at the most moderate rates, and with as little direct official interference as possible. But where the villages of the tract have already ample pasture grounds attached to their cultivation and owned and managed by themselves, and where the Crown lands merely supplement these pastures, and afford grazing to a nomad pastoral population, or to the herds that shift from one portion of the country to another with the changes of the season, Government may justly expect to reap a fair income from its property. Even in such cases, however, the convenience and advantage of the graziers should be studiously considered, and the inhabitants of the locality, or those who habitually graze over it, should have a preferential claim at rates materially lower than might be obtained in the open market. It will often be advantageous to fix the grazing demand upon a village or a nomad community for a year or a term of years. The system, like every other, has difficulties that are peculiar to it; but it reduces the interference of petty officials to the lowest point, and minimizes their opportunities for extortion and oppression. Where grazing fees are levied *per capita*, free passes are often given to a certain number of cattle. In such cases the cattle which are to graze free should include, not only the oxen which are actually employed on the plough, but also a reasonable number of milch cattle and calves. A cow or a buffalo is as much a necessity to a cultivator, using the word necessity in a reasonably wide sense, as is a plough-bullock ; and in many parts the oxen are bred in the village.

11. In the portions of his report which are referred to in the preamble to this Resolution Dr. Völcker strongly recommends the formation of fuel and fodder preserves, and the Government of India has repeatedly urged the same policy upon Local Governments. The question whether any particular area can be made to support a greater number of cattle by preserving the grass and cutting it for fodder, or by permitting grazing upon it, is one that must be decided by the local circumstances of each case. But when it has been decided, the issues are by no means exhausted. It has been stated in paragraph 9 above that one main object towards which the management of these minor forests should be directed is, the supply of fuel and fodder " to the greatest advantage and convenience of the people." In doing so, due regard must be had to their habits and wishes. It may be that strict preservation and periodical closures, or the total prohibition of grazing, will result in the largest yield both of fuel and of fodder in the form of hay. But that is of small avail if the people will not utilize the increased supply in the form in which it is offered them. The customs of generations alter slowly in India; and though much may and should be done to lead the people to their own profit, yet it must be done gently and gradually, always remembering that their contentment is no less important an object than is their material advantage. It must be remembered, moreover, that the object of excluding grazing from the preserves in question is the advantage of the *neighbourhood*; and that the realization of a larger income than grazing would yield, by preserving the produce, only to sell it to the highest bidder for consumption in large towns at a distance from the preserve, is *not* always in accordance with the policy which the Government of India has inculcated. Here again circumstances must decide. It may be that the local supply of fuel or fodder, independently of the reserved area, is sufficient in ordinary years for the needs of the neighbourhood. In such a case the produce may legitimately be disposed of in such years to the greatest advantage, reserving it for local consumption only when the external supply runs short. Finally, the remarks regarding agency in paragraph 12, and the more general considerations that are discussed below in paragraph 13 of this Resolution, apply in full force to areas thus reserved for the supply of fuel and fodder.

12. The fourth class of forests referred to are pastures and grazing grounds proper, which are usually forests only in name. It is often convenient, indeed, to declare them forests under the Act, in order to obtain a statutory settlement of the rights which the State on the one hand and private individuals or communities on the other possess over them. But it by no means follows as a matter of course that these lands should be subjected to any strict system of conservation, or that they should be placed under the management of the Forest Department. The question of agency is purely one of economy and expediency; and the Government of India believe that in some cases where these lands are managed by the Forest Department, the expenditure on establishment exceeds the revenue that is, or at any rate the revenue that ought to be, realized from them.

The following remarks apply, not only to forest lands under the Act, whether administered by the Forest Department or not, but also to all Crown waste, even though not declared to be forest. Here the interests of the local community reach their maximum, while those of the general public are of the slightest nature. It follows that the principles which have been already laid down for the management of minor forests apply, if possible, with even greater force to the management of grazing areas pure and simple.

13. The difficulties which arise in connection with these areas are apt to present themselves in their most aggravated form where the tenure of land is ryotwari. In zamindari tracts the Crown lands generally assume the second of the two forms indicated in paragraph 10 of this Resolution. But where the settlement is ryotwari, every survey number or field that is unoccupied or unassigned is in the possession and at the disposal of Government, and trespass upon it is *primâ facie* forbidden. In some cultivated tracts, these unoccupied and waste lands are the only source available from which the grazing requirements of the resident population can be met. The Government of India are clearly of opinion that the intermixture of plots of Government land which are used for grazing only, but upon which trespass is forbidden, with the cultivation of occupancy or proprietary holders, is apt to lead to extreme abuses, and especially so when these plots are under the management of the Forest Department. The inferior subordinates of the Forest Department are perhaps as reliable as can be expected on the pay which we can afford to give, but their morality is no higher than that of the uneducated classes from which they are drawn; while the enormous areas over which they are scattered and the small number of the controlling staff render effective supervision most difficult. It is not right, in order to protect the grass or the grazing dues on plots of waste scattered over the face of a cultivated district, to put it into the power of an underling to pound or threaten to pound cattle on the plea that they have overstepped the boundary between their owner's field and the next. Still less right is it to permit the exercise of the power of compounding offences allowed by section 67 of the Forest Act to depend upon the mere report of a subordinate servant, or to expose him to the temptations which such a power holds out. Where the interests involved are sufficiently important, it may perhaps be necessary to accept the danger of extortion while minimizing as far as possible the opportunities for it. But in the case under consideration the interests involved are trifling, while the opportunities are unlimited.

14. It is to be distinctly understood that the Government of India do not desire that grazing should be looked upon primarily as a source of income. But it by no means follows that all revenues from scattered Government lands should be relinquished. It is, indeed, inadvisable that this should be done, as to do so would give the raiyats an interest in opposing allotment and making things unpleasant for new occupants. But the objections to direct management which have just been pointed out are reduced to a minimum or altogether avoided when the management is placed in hands of the resident cultivators or of representatives from among them. It will generally be possible to lease or otherwise manage the unoccupied lands of a village through the agency of the community; not, indeed, at the highest price which they are ready to pay to escape such evils as have just been alluded to, but at a moderate estimate of their value to them, fixed in view of the fact that herds and flocks, which cannot exist without grazing, are often a necessary condition of the successful conduct of that cultivation upon which the Government land-revenue is paid. In no case should fields that have been relinquished be let to outsiders at a reduced assessment for grazing purposes, for then we might have speculators taking up such fields, mainly in order to make what they can out of trespassing cattle.

15. One more point of principle remains to be noticed. The procedure under Chapter IV of the Indian Forest Act, whereby forests are declared to be protected, has been in certain cases regarded by the Government of India as a provisional and intermediate procedure, designed to afford time for consideration and decision, with the object of ultimately constituting so much of the area as it is intended to retain a reserved forest under Chapter II, and of relinquishing the remainder altogether. The Act provides two distinct procedures. By the more strict

one, under Chapter II, existing rights may be either settled, transferred or commuted, and this procedure will ordinarily be applied to forests of the first and second classes indicated in paragraph 3 of this Resolution. By the second procedure under Chapter IV rights are recorded and regulated ; and this procedure will often be properly followed where the rights to which the area is subject are extensive, and the forest is to be managed mainly in the interests of the local community. It will ordinarily be applied to forests of the 3rd and 4th classes. This second procedure may indeed be provisional, and introductory to reservation under Chapter II ; but there is in the Forest Act nothing repugnant to giving it a larger and even a permanent operation. As regards Governemnt, the chief difference between the two procedures is that new rights may spring up in a protected, but not in a reserved forest, and that the record-of-rights framed under Chapter II is conclusive, while that framed under Chapter IV only carries a presumption of truth. It is believed that this presumption offers ample security where the object of regulating the rights is to provide for their more beneficial exercise, rather than to override them in the public interest. As regards the people, the chief difference is that, speaking broadly, in a reserved forest everything is an offence that is not permitted, while in a protected forest nothing is an offence that is not prohibited. In theory it is possible so to frame the permission and the prohibition as to make the results identical in the two cases; but in practice it is almost impossible to do so. If it were not so, the distinction drawn by the legislature would be unnecessary and meaningless. It is only where the public interests involved are of sufficient importance to justify the stricter procedure and the more comprehensive definition of forest offences that the latter should be adopted.

The Governor-General in Council desires, therefore, that with regard both to fuel and fodder preserves, and to grazing areas pure and simple, and especially to such of them as lie in the midst of cultivated tracts, it may be considered in each case whether it is necessary to class them, or, if already so classed, to retain them as forest areas; and if this question is decided in the affirmative, whether it would not be better to constitute them protected rather than reserved forests.

16. Such are the general principles which the Government of India desire should be observed in the administration of all State forests in British India. They are fully aware that the detailed application of these principles must depend upon an infinite variety of circumstances which will have to be duly weighed in each case by the local authorities, to whose discretion the decision must be left. One of the dangers which it is most difficult to guard against is the fraudulent abuse of concessions for commercial purposes; and only local considerations can indicate how this can best be met. The Government of India recognize the fact that the easier treatment in the matter of forest produce which His Excellency in Council desires should be extended to the agricultural classes may, especially in the case of true forest areas, necessitate more careful supervision in order that the concession may be confined within its legitimate limits. But, on the other hand, they think that, in some Provinces, it will render possible a considerable reduction of existing establishment; and they desire that this matter may be carefully considered with reference to what has been said above in paragraph 12. They know also that in some Provinces forest policy is already framed on the lines which they wish to see followed in all. But the Governor-General in Council believes that Local Governments and Administrations will be glad to receive the assurance now given them, that the Supreme Government will cordially support them in recognizing and providing for local requirements to the utmost point that is consistent with Imperial interests. Where working-plans or plans of operation are framed for forests, the provisions necessary for this purpose should be embodied in them. The exercise of the rights that have been recorded at settlement will necessarily be provided for in these plans. Where further concessions are made by way of privilege and grace, it will be well to grant them for some such limited period as ten years, so that they may, if necessary, be revised from time to time, as the circumstances on which they were moulded change.

Bengal.
North-Western Provinces and Oudh.
Punjab.
Central Provinces.
Burma.
Assam.
Coorg.
Ajmere.
Andamans.
Baluchistan.
Hyderabad.

ORDER.—Ordered, that a copy of this Resolution be forwarded, for information and guidance, to the Governments of Madras and Bombay, to the Local Governments and Administrations noted in the margin, and to the Inspector-General of Forests: also that it be published in the Supplement to the *Gazette of India.*

(True Extract.)

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA" DATED OCTOBER 27TH, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

EXAMINATIONS.

Simla, the 26th October 1894.

No. 327.—With reference to Rules 5 and 10 of the Rules published with Home Department Resolution No. 2 Ex.—188-199, dated 5th June 1894, and to Rules 2 and 6 published with the Resolution of the Government of Bengal, dated 10th instant, it is hereby notified that the examination prescribed for filling up vacancies in the Lower Division of the Secretariat Clerical Service of the Government of India and attached offices and in the Clerical Establishments of the offices subordinate to the Government of Bengal, will be held at Calcutta in the Senate House of the Calcutta University, and at Allahabad and Lahore, at the places to be appointed by the Governments of the North-Western Provinces and Oudh and the Punjab, respectively, in January 1895. The exact dates will be notified hereafter. The hours of examination will be from 10 A.M. to 1 P.M. and from 1-30 P.M. to 4-30 P.M. daily.

The probable number of vacancies in the Lower Division of the Secretariat Clerical Service of the Government of India and attached offices to be competed for is sixteen. Of these, eight will be reserved for candidates domiciled in the North-Western Provinces and Oudh, the Punjab, the Central Provinces, Rajputana, Central India and Baluchistan, provided that a sufficient number of such candidates, duly qualified, appear for the examination to be held at Allahabad and Lahore. The remaining eight vacancies will be offered for competition among the candidates examined at Calcutta, and such candidates, temporarily resident but not domiciled in any of the Provinces enumerated above, as may be permitted to present themselves for examination at Allahabad and Lahore.

The probable number of vacancies in the offices subordinate to the Government of Bengal is ten. These will be reserved for candidates examined at Calcutta.

Candidates should pay the prescribed fee (Rs. 10) into the nearest Treasury, and forward the Treasury receipt to the Secretary to the Board of Examiners, Calcutta. Candidates paying their fees in Calcutta should pay them into the Bank of Bengal.

Application for permission to appear at the examination should be made to the Secretary to the Board of Examiners, Calcutta, between the date of this Notification and the 15th December next (inclusive).

The attention of intending candidates is called to Rule 9 of the Rules published with the Home Department Resolution of the 5th June 1894 prescribing the particulars * and documents which should accompany the application for permission to appear at the examination.

* (1) Evidence that the candidate at the date of making his application is not less than 18 and not more than 24 years of age. The date of the candidate's birth must be stated.

(2) In case the candidate has been educated at a school in which students' good conduct registers are kept, the candidate's register for the last year of his attendance at school when a year has not elapsed since he left school. In other cases, a certificate that the candidate is of good moral character from the head of the institution in which he has last been educated, or from some respectable householder to whom he is well known in private life, and who is himself known to a District or Sub divisional Magistrate or to the head of some Government office,—this last fact being certified by the countersignature of the officer in question.

ECCLESIASTICAL.

The 26th October 1894.

No. 296.—In continuation of the Notification of the Government of India in the Home Department No. 1173, dated the 19th July 1888, the Governor-General in Council is pleased to publish the following rules under Section 36 (*a*) of the Births, Deaths and Marriages Registration Act No. VI of 1886 :—

1. The following fees shall be payable under Section 35 of the said Act, namely :

	Fees. Rs.	A	P.
For inspection of the descriptive list of registers or records delivered to the Registrar-General by Commissioners appointed under Chapter V of the said Act ...	1	0	0
For each copy of an entry in any register or record described in the above-mentioned descriptive list ...	1	0	0

Provided that soldiers and non-commissioned officers of Her Majesty's Regular forces and all seamen shall be exempted from the payment of the foregoing fees, when the same are payable to a Registrar-General or a Government servant who is not a Minister of Religion.

2. When fees payable under the foregoing rule are received by a Registrar-General or any person being a Government servant and not a Minister of Religion, having the custody of any such registers or records as aforesaid, they shall be entered in a register and otherwise treated as if they were fees realized under the rules published under the Notification No. 1173, dated 19th July 1888, above referred to. When such fees are received by any other person, they may be retained by such person.

J. P. HEWETT,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th October 1894.

No. 410.—The Governor-General in Council is pleased to order the following promotions in the class of Superintending Engineers, with effect from the dates specified:—

Names.	From	To	Nature of promotion.	With effect from
Hilton, J. E. ...	Superintending Engineer, 2nd Class, temporary rank.	Superintending Engineer, 2nd Class.	Sub. *pro tem.* ...	18th June 1894.
Preston, S. ...	Superintending Engineer, 3rd Class.	Superintending Engineer, 2nd Class.	Temporary ...	9th July 1894.

No. 411.—The Governor-General in Council is pleased to order the following temporary promotions to and in the classes of Chief and Superintending Engineers, with effect from the 14th September 1894 :—

Names.	From	To
* * * *	* * † *	* * *
Dempster, J. I. R. ...	Superintending Engineer, 3rd Class,	Superintending Engineer, 2nd Class.

W. S. S. BISSET, *Lieut.-Colonel, R.E.*,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 8, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-M.—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	3rd November	10 P.M.
Karachi	10th "	9-30 P.M.
Rawalpindi	16th "	9-30 P.M.
Peshawar	19th "	9-30 P.M.
Lahore	26th "	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistan for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED NOVEMBER 3RD, 1894.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 29th October, 1894.

No. 1751-*G.*—The services of Surgeon-Captain F. H. Burton-Brown, M.B., Indian Medical Service (Bengal), are, with reference to the notification by the Government of India in the Home Department, No. 636 (Medical), dated the 16th October, 1894, placed at the disposal of the Military Department, with effect from the date on which he may be relieved of his duties as officiating Professor in the Lahore Medical College.

W. J. CUNINGHAM,

Secretary to the Government of India.

MILITARY DEPARTMENT

Simla, the 2nd November, 1894.

VOLUNTEER CORPS.

REMOVALS.

No. 1026.—*1st Punjab Volunteer Rifle Corps*—

Captain W. G. Barnes is superseded for absence without leave under the provisions of paragraph 83, Army Regulations, India, vol. IX.

E. H. H. COLLEN, *Major-General,*

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st November 1894.

No. 430.—Mr. E. E. Oliver, Superintending Engineer, 1st Class, sub. *pro tem.*, Punjab, is appointed to officiate as Chief Engineer and Secretary to that Government in the Buildings and Roads Branch of the Public Works Department, with effect from the afternoon of the 30th October 1894, during the absence of Colonel G. F. L. Marshall, C.I.E., R. E., on furlough, or until further orders. While so officiating Mr. Oliver will hold the temporary rank of Chief Engineer, 3rd Class.

Mr. J. M. Campion, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as a Superintending Engineer with temporary rank in the 3rd Class, *vice* Mr. E. E. Oliver, with effect from the date on which he may assume charge of his circle.

The 2nd November, 1894.

No. 433—*Corrigendum.* The sub. *pro tem.* promotion of Mr. J. E. Hilton to Superintending Engineer, 2nd Class, has effect from the 9th July 1894 instead of from the date published in Public Works Department Notification No. 410, dated 26th October 1894.

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 15, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-*M.*—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	3rd November	10 P.M.
Karachi	10th "	9-30 P.M.
Rawalpindi	16th "	9-30 P.M.
Pesháwar	19th "	9-30 P.M.
Lahore	26th "	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistan for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED NOVEMBER 10TH, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Calcutta, the 8th November 1894.

No. 1137-*F.*—Consequent on the return of Mr. C. Bagshawe, Conservator of Forests, Berar, from the privilege leave granted him in the Notification of this Department No. 972-F., dated the 28th September 1894, Mr. H. Calthrop, Officiating Conservator, reverted to his substantive appointment of Deputy Conservator in Berar with effect from 25th October 1894.

DENZIL IBBETSON,
Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 9th November 1894.

FURLOUGH AND LEAVE.

No. 1043.—Colonel L. J. H. Grey, C.S.I., Indian Staff Corps Commissioner and Superintendent, Delhi Division, is permitted to reside out of India on succession to Colonel's allowance on 13th December 1894.

W. R. LEG. ANDERSON,
for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 22, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 18TH, 1894.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th August 1894.

No. 2083-*M.*—His Excellency the Viceroy and Governor-General will during His Excellency's tour in November 1894 hold Levées at the following places on the dates mentioned below :—

Quetta	3rd November		10 P.M.
Karachi	10th	"	9-30 P.M.
Ráwalpindi	16th	"	9-30 P.M.
Pesháwar	19th	"	9-30 P.M.
Lahore	26th	"	9-30 P.M.

2. All Civil and Military Officers and Native Officers of the Native Regiments at the above stations are invited to attend.

3. His Excellency will also be glad to receive other Gentlemen, who should submit their names to the Agent to the Governor-General in Baluchistan for the Levée to be held at Quetta, and in the case of Levées at other places to the Commissioners of the respective Divisions, who will issue cards of admission, which should be shown to the Aide-de-Camp in waiting before the Levée, if required.

4. All Officers and Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written upon them.

5. Officers and Gentlemen wearing uniform will appear in Full Dress; Gentlemen not wearing uniform in Evening Dress.

By Command,

A. DURAND, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA" DATED NOVEMBER 17TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

EXAMINATIONS.

Calcutta, the 16th November 1894.

No. 355.—With reference to paragraph 1 of Home Department Notification No. 327, dated the 26th October 1894, it is hereby notified that the examination prescribed for filling vacancies in the Lower Division of the Secretariat clerical service of the Government of India and attached offices and in the clerical establishments of the offices subordinate to the Government of Bengal will be held at Calcutta in the Senate House of the Calcutta University on Saturday, the 5th January 1895, and following week days.

2. The examination at Allahabad and Lahore of candidates for appointments in the Secretariat offices of the Government of India and attached offices will be held on the above dates at the places to be appointed by the Governments of the North-Western Provinces and Oudh and the Punjab, respectively.

J. P. HEWETT,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Calcutta, the 16th November 1894.

No. 1186-*F.*—With reference to the notification of this Department, No. 1048-F., dated the 19th ultimo, Mr. Dansey assumed charge of the Punjab Forest Circle on the 10th November 1894.

From the same date, Mr. Dansey will officiate in the 1st Grade of Conservators during the absence of Mr. H. C. Hill on privilege leave, or until further orders; and Mr. C. F. Elliott, Officiating Conservator, 3rd Grade, Punjab, reverted to his substantive appointment of Deputy Conservator, 1st Grade, and is retransferred to Balúchistán.

Mr. A. M. Reuther, Deputy Conservator, Balúchistán, on relief by Mr. Elliott, is posted to the Punjab.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 29, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 24TH, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 23rd November, 1894.

No. 1921.—In supersession of Notification No. 1860, dated the 2nd instant, the Governor-General in Council is pleased, under the provisions of Section 9 of the Statute 24 and 25 Vict., Chapter 67, to direct that His Excellency's Council shall assemble at Lahore in the jurisdiction of the Lieutenant-Governor of the Punjab.

JUDICIAL.

The 23rd November, 1894.

No. 1278.—The services of Lieutenant F. W. Lethbridge, 2-5th Gurkha Rifles, are placed at the disposal of the Government of the Punjab for employment as Assistant Cantonment Magistrate at Rawalpindi.

J. P. HEWETT,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

HORSE-BREEDING AND AGRICULTURAL STOCK.

Calcutta, the 22nd November 1894.

No. 3012-102.—Veterinary-Lieutenant E. E. Martin, Army Veterinary Department, is appointed to the Civil Veterinary Department, on probation, with effect from the 3rd October, 1894, and is posted to the Punjab.

MUSEUMS AND EXHIBITIONS.

The 22nd November, 1894.

No. 4818-6.—The names of the Governors appointed to act on the Indian Section of the Governing Body of the Imperial Institute during the year ending July 1895 are published for information :—

* * * * * * * *

(2) *On behalf of Local Governments and Native States.*

* * * * * * * *

Punjab—Baden H. Baden-Powell, Esq., C. I. E. (late Bengal Civil Service).

* * * * * * * *

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 23rd November, 1894.

APPOINTMENTS.

No. 1076.—It is notified for general information that the following procedure will be followed from the 1st April, 1895, in dealing with the transfers of military officers from military to civil employment :—

(1) Applications from Local Governments or Administrations for the services of a military officer should, if possible, specify the length of time for which his services are likely to be required, and also where and when he should join his civil appointment. They will be submitted to the Government of India in the Home or Foreign Department, as the case may be, and will be transferred for disposal to the Military Department. That department will refer to His Excellency the Commander-in-Chief, who after ascertaining from the Lieutenant-General Commanding the forces in the Command to which the officer may belong that his services are available, will place them at the disposal of the Government of India.

At the same time the Lieutenant-General Commanding will issue the necessary orders to the officer directing him to join his civil appointment.

(2) The procedure for obtaining the services of officers for temporary duty will be as laid down in paragraph 276, Army Regulations, India, Vol. II, except that General Officers Commanding Districts will report to Lieutenant-Generals instead of to Army Head-Quarters.

(3) The present procedure will continue in cases in which a Civil Department of the Government of India may require the services of a military officer for civil employment.

(4) Applications from military officers for civil employment will be submitted, through General Officers Commanding Districts, to Lieutenant-Generals Commanding, who will forward them to Army Head-Quarters for transmission to the department of the Government of India concerned, through the Military Department.

LONDON GAZETTE.

No. 1082.—The following extracts are published for general information :—

"London Gazette" dated 23rd October 1894, *pages* 5930 *and* 5931.

* * * * * * * *

India Office, 23rd October, 1894.

The Queen has approved of the following promotions among the Officers of the Staff Corps * * * * * made by the Governments in India :—

INDIAN STAFF CORPS.

* * * * * * * *

Lieutenants to be Captains.

* * * * * * * *

Dated 25th August 1894.

* * * * * * * *

Frederick Cholmondeley Dering Amesbury.
Charles William Field.

* * * * * * * *

P. J. MAITLAND,

for *Secretary to the Government of India.*

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

Calcutta, the 24th November, 1894.

No. 5783-*A.*—Whereas under the Notification of this Department, No. 4092, dated the 13th August, 1894, all outstanding Promissory Notes of the Government of India and Stock Certificates of the 4 per cent. Loan of 1st May 1865, which did not on that date stand enfaced for payment of interest at any Treasury or Public Debt Office other than Calcutta, are under notice of discharge on the 1st December, 1894; It is hereby notified that the said notes will be received for discharge, from and after this day, at the Public Debt Office, Bank of Bengal, Calcutta, and will be discharged in full, including interest up to November 30th inclusive, as soon as they can be examined and passed for payment. Nothing in this Notification affects the terms of the Notification No. 5080, dated the 8th October, 1894, whereby proprietors of such Notes and Certificates have the option of tendering them for transfer to the 3½ per cent. Loan of 1893-94.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 2nd November 1894.

No. 445.—The undermentioned Assistant Engineers, 3rd grade, appointed by Her Majesty's Secretary of State for India, from the Royal Indian Engineering College, who have gone through a course of practical training in England, are posted as follows :—

* * * * * * * *

To Punjab.

Mr. W. H. Smith.

Mr. A. S. Montgomery.

* * * * * * * *

W. S. S. BISSET, *Lieut.-Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 6, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 1ST, 1894.

HOME DEPARTMENT.

NOTIFICATIONS.

EXAMINATIONS.

Calcutta, the 29th November 1894.

No. 390.—The following regulations respecting the examination of candidates for the Civil Service of India, to be held in August, 1895, are published for general information :—

Copies of these Regulations may be obtained on application to the Secretary to the Government of India, Home Department.

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

An open Competitive Examination for admission to the Civil Service of India will be held in London, under the subjoined Regulations, commencing on the 1st August, 1895.

The number of persons to be selected at this Examination will be announced hereafter.

No person will be admitted to compete from whom the Secretary, Civil Service Commission, has not received on or before the 31st May, 1895, *an application on the prescribed form, accompanied by evidence on the points mentioned in Regulation* 2, *and by a list of the subjects in which the Candidate desires to be examined. Evidence of health and character must bear date not earlier than* 1st *May,* 1895.

The Order for admission to the Examination will be posted on the 18th July, 1895, to the address given on the Form of Application. It will contain instructions as to the time and place at which candidates will be required to attend, and as to the manner in which the fee (the amount of which is at present under consideration) is to be paid.

CIVIL SERVICE COMMISSION,
24th October 1894.

REGULATIONS.

*** *The following Regulations, made by the Secretary of State for India in Council, are liable to alteration from year to year :—*

1. An Examination for admission to the Civil Service of India, open to all qualified persons, will be held in London in August of each year. The date of the Examination and the number of appointments to be made for each Province will be announced beforehand by the Civil Service Commissioners.

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners :—

(i.) That he is a natural-born subject of Her Majesty.

(ii.) That his age will be above twenty-one years and under twenty-three years, on the 1st April, in the year in which the Examination is to be held.

[*N. B.—In the case of Natives of India it will be necessary for a Candidate to obtain a certificate of age and nationality signed, should he be a resident in British India, by the Secretary to Government of the Province, or the Commissioner of the Division within which has family resides, or should he reside in a Native State, by the highest Political Officer accredited to the State in which his family resides.*]

(iii.) That he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India.

(iv.) That he is of good moral character.

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate, on payment of the prescribed fee, will be admitted to the Examination. The Commissioners may however in their discretion at any time prior to the grant of the Certificate of Qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries, in the case of any Candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India, and if already selected, will be removed from the position of a Probationer.

4. The Open Competitive Examination will take place only in the following branches of knowledge :—

	Marks.
English Composition	500
Sanskrit Language and Literature	500
Arabic Language and Literature	500
Greek Language and Literature	750
Latin Language and Literature	750
English Language and Literature (including special period named by the Commissioners) (*a*)	500
French Language and Literature	500
German Language and Literature	500
Mathematics (pure and applied)	900
Advanced Mathematical subjects (pure and applied) ...	900

(*a*) In the syllabus referred to in Note (*c*).

Natural Science, *i.e.*, any number not exceeding *three* of the following subjects :—

		Marks.
Elementary Chemistry and Elementary Physics (*N.B.* This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics.)	600	1,800
Higher Chemistry	600	
Higher Physics	600	
Geology	600	
Botany	600	
Zoology	600	
Animal Physiology	600	
Greek History (Ancient, including Constitution)		400
Roman History (Ancient, including Constitution)		400
English History...		500
General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History) (*b*)		500
Logic and Mental Philosophy (Ancient and Modern) ...		400
Moral Philosophy (Ancient and Modern)		400
Political Economy and Economic History		500
Political Science (including Analytical Jurisprudence, the Early History of Institutions, and Theory of Legislation) ...		500
Roman Law		500
English Law. Under the head of "English Law" shall be included the following subjects, *viz* :—(1) Law of Contract ; (2) Law of Evidence ; (3) Law of the Constitution ; (4) Criminal Law ; (5) Law of Real Property ; and of these five subjects Candidates shall be at liberty to offer any four, but not more than four		500

Candidates are at liberty to name any or all of these branches of knowledge (*c*) No subjects are obligatory.

5. The merit of the persons examined will be estimated by marks ; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

6. The marks assigned to Candidates in each branch will be subject to such deduction as the Civil Service Commissioners may deem necessary (*d*) in order to secure that "a Candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

(*b*) See Note (*c*).

(*c*) A syllabus, defining in general terms the character of the Examination in the various subjects, may be obtained on application to the Secretary, Civil Service Commission.

(*d*) Marks assigned in English Composition and Mathematics will be subject to no deduction. Each science will, for the purpose of deduction, be treated as a separate subject.

7. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary.

8. The marks obtained by each Candidate, in respect of each of the subjects in which he shall have been examined, will be added up, and the names of the several Candidates who shall have obtained, after the deduction above-mentioned, a greater aggregate number of marks than any of the remaining Candidates, will be set forth in order of merit, and such Candidates shall be deemed to be selected Candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the selected Candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In the former case, the Candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a selected Candidate. A Candidate entitled to be deemed a selected Candidate, but declining to accept the nomination as such, which may be offered to him, will be disqualified for any subsequent competition.

9. Selected Candidates before proceeding to India will be on probation for one year, at the end of which time they will be examined, with a view of testing their progress in the following subjects (*e*) :—

Compulsory—

		Marks.
1.	Indian Penal Code and Criminal Procedure Code, 1882 ...	500
2.	The Principal Vernacular Language of the Province to which the Candidate is assigned	400
3.	History of British India	300

Optional. [Not more than two of these subjects]—

1.	The Code of Civil Procedure, 1882, and the Indian Contract Act, 1872	450
2.	Hindu and Muhammadan Law	350
*3.	Sanskrit	400
*4.	Arabic	400
5.	Persian	400
*6.	Political Economy	400

In this Examination, as in the open competition, the merit of the Candidates examined will be estimated by marks (which will be subject to deductions in the same way as the marks assigned at the open competition), and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary. This Examination will be held at the close of the year of probation, and will be called the "*Final Examination.*"

10. The selected Candidates will also be tested during their probation as to their proficiency in riding.

The examinations in riding will be held as follows :—

(1) Shortly after the result of the Open Competitive Examination has been declared, or at such time or times as the Commissioners may appoint during the course of the probationary year.

(*e*) Instructions, showing the extent of the Examination, will be issued to the successful Candidates as soon as possible after the result of the Open Competition is declared.

* These subjects may not be offered by any Candidate who has offered them at the open competition.

(2) Again, at the time of the Final Examination, Candidates who may fully satisfy the Commissioners of their ability to ride well and to perform journeys on horseback, shall receive a Certificate which shall entitle them to be credited with 200 marks to be added to their marks in the Final Examination.

(3) Candidates who fail to obtain this Certificate, but who gain a Certificate of minimum proficiency in riding, will be allowed to proceed to India, but will be subjected on their arrival to such further tests in riding as may be prescribed by their Government, and shall receive no increase to their initial salary until they have passed such tests to the satisfaction of that Government. A Candidate who fails at the end of the year of probation to gain at least the Certificate of minimum proficiency in riding, will be liable to have his name removed from the list of Selected Candidates.

11. The selected Candidates who, at the Final Examination, shall be found to have a competent knowledge of the subject specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, character, and ability to ride, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the regulations in force, at the time, for that Service.

12. Persons desirous to be admitted as Candidates must apply on Forms, which may be obtained from "The Secretary, Civil Service Commission, London, S. W.," at any time after the 1st December, in the year previous to that in which the Examination is to be held. The Forms must be returned so as to be received at the office of the Civil Service Commissioners on or before 31st May in the year in which the Examination is to be held.

The Civil Service Commissioners are authorized by the Secretary of State for India in Council to make the following announcements :—

(i.) *Selected Candidates will be allotted to the various provinces upon a consideration of all the circumstances, including their own wishes; but the requirements of the Public Service will rank before every other consideration.*

(ii.) *An allowance amounting to £100 will be given to all Candidates who pass their probation at one of the Universities or Colleges which have been approved by the Secretary of State,* viz., *the Universities of Oxford, Cambridge, Dublin, Glasgow, Edinburgh, St. Andrew's, and Aberdeen; Victoria University, Manchester; University College, London; and King's College, London; provided such Candidates shall have passed the Final Examination to the satisfaction of the Civil Service Commissioners, and shall have conducted themselves well and complied with such rules as may be laid down for the guidance of Selected Candidates. The whole probation must ordinarily be passed at the same Institution. Migration will not be permitted except for special reasons approved by the Secretary of State.*

(iii.) *The allowance of £100 will not be paid to any Selected Candidate until he has been certified by the Civil Service Commissioners to be entitled to be appointed to the Civil Service of India; and every Certificated candidate must, before receiving his allowance, give a written undertaking to refund the amount in the event of his failing to proceed to India.*

(iv.) *All Candidates obtaining Certificates will be also required to enter into covenants, by which, amongst other things, they will bind themselves to make such payments as under the rules and regulations for the time being in force they may be required to make towards their own pensions or for the pensions of their families. The stamps payable on these covenants amount to £1.*

(v.) *The seniority in the Civil Service of India of the Selected Candidates will be determined according to the order in which they stand on the list resulting from the combined marks of the Open Competitive and Final Examinations.*

(vi.) *Selected Candidates will be required to report their arrival in India within such period after the grant of their Certificate of Qualification as the Secretary of State may in each case direct.*

(vii.) *Candidates rejected at the Final Examination held in any year will in no case be allowed to present themselves for re-examination.*

[Copies of this Application Form may be obtained on application to the Secretary to the Government of India, Home Department.]

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1895.

FORM OF APPLICATION; TO BE FILLED UP BY THE CANDIDATE HIMSELF.

*** *The order for admission to the Examination will not be issued unless this Form, filled up by the Candidate himself, is received at the Office of the Civil Service Commission on or before the* 31st May, 1895.

*Date*__________

SIR,

BEING desirous to offer myself as a Candidate at the Examination for the Civil Service of India, which is appointed to commence on the 1st of August, 1895, I transmit herewith as required by the Regulations—

(1.) A certificate of my birth, showing that I was born on the day of 18 , and that therefore my age was above 21 years and under 23 years on the 1st of April, 1895.

(1.) If a General Register Office certificate cannot be obtained, the instructions printed on the next page will show what evidence should be supplied. If evidence is already in the hands of the Commissioners, strike out "A certificate of my birth," and insert "Evidence is already in the possession of the Commissioners."

(2.) A certificate signed by

of my having no disease, constitutional affection, or bodily infirmity unfitting me, or likely to unfit me, for the Civil Service of India.

(2.) The terms indicated must appear in the certificate, which must be given after personal examination, and bear date not earlier than 1st May, 1895.

(3.) Proof of my moral character, *viz.*:—

(1.) A testimonial from

(2.) A testimonial from

(3.) Two testimonials must be sent bearing date not earlier than 1st May, 1895. One of them should be given by an intimate acquaintance (not a relative) of not less than three or four years' standing; the other, if the candidate has recently left school, should be given by his late schoolmaster, or if he has had employment of any kind, by his employer. If the candidate has been at any University, he should send a certificate of good conduct from his College tutor.

(4.) A statement of the branches of knowledge in which I desire to be examined.

(4.) This should be given on the form attached.

I have also to state, with reference to Section 2, Clause (i) of the Regulations, that I am a natural-born subject of Her Majesty.

I am, SIR,
Your obedient Servant.

*Name in full*__________

*Address to which you wish the Order for admission to the Examination to be sent.**__________

* See Note (*a*) on Regulations.

*Date*__________

To the Secretary,
Civil Service Commission,
London, S. W.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I. Every candidate born in the United Kingdom should produce a certificate from the Registrar-General of Births, Marriages, and Deaths, or from one of his Provincial Officers. This Certificate may be obtained from the Registrar-General in London, Dublin or Edinburgh, or from the Superintendent Registrar of the District in which the birth took place.

II. A Candidate born of European parents in India may produce a Certificate of Baptism from the district in which he was baptised. If this does not also mention the date of birth, it should be accompanied by a statutory declaration by one of the Candidate's parents, stating the date and place of birth. When such certificates are not in the possession of the candidates, an Extract from the Registers kept at the India Office will probably be obtainable.

III. A Candidate who is a Native of India must have his age and nationality certified by the Government of India, or of the Presidency or Province in which he may have resided.

[*No Certificates except those issued under Notification of the Government of India, No.* 2252, *dated* 21*st August*, 1888, *will be accepted for this competition.*]

Except as noted in paragraphs II and III, every Candidate is expected to produce a Certificate of *Birth*. The Civil Service Commissioners will not in ordinary cases accept a Certificate of Baptism, or other testimony, unless they are first satisfied that a Certificate of Birth cannot be procured.

Official Certificates of Birth may generally be obtained as follows :—

(*a*) *For persons born in England or Wales since* 30*th June*, 1837.—From the Registrar-General, Somerset House, London; or from the Superintendent Registrar of the district in which the birth took place.

(*b*) *For persons born in Scotland since* 31*st December*, 1854.—From the General Register Office, Edinburgh; or from the Registrar of the parish or district in which the birth took place.

(*c*) *For persons born in Ireland since* 31*st December*, 1863.—From the General Register Office, Dublin; or from the Superintendent Registrar of the district in which the birth took place.

(*d*) *For persons of English, Scottish, or Irish parentage born on board British ships since the dates mentioned in* (*a*), (*b*) *and* (*c*) *respectively.*—From the General Register Office, London, Edinburgh, or Dublin, according to parentage.

(*e*) *For persons born in India of European parents.*—From the India Office, London.

Any Candidate who cannot produce a Certificate of Birth from one of the authorities named should, if possible, procure a Certificate of Baptism, and should then apply to the Secretary, Civil Service Commission, for further instructions.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1895.

SELECTION OF SUBJECTS TO BE FILLED UP AND RETURNED WITH THE FORM OF APPLICATION.

*_** *Place your Initials against the Subjects which you select, and sign your name in the place indicated on the next page.*

INITIALS.	
....	English Composition.
....	Sanskrit Language and Literature.
....	Arabic Language and Literature.
....	Greek Language and Literature.
....	Latin Language and Literature.
....	English Language and Literature.
....	†French language and Literature.
....	†German Language and Literature.
....	Mathematics (pure and applied).
....	Advanced Mathematical Subjects (pure and applied).
	Natural Science, *viz.* :—
....	‡Elementary Chemistry and Elementary Physics.
	(*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics.)
....	‡Higher Chemistry.
....	‡Higher Physics.
....	‡Geology.
....	‡Botany.
....	‡Zoology.
....	‡Animal Physiology.
....	Greek History.
....	Roman History.
....	English History.
....	General Modern History.
	Period ________________
....	Logic and Mental Philosophy.
....	Moral Philosophy.
....	Political Economy and Economic History.
....	Political Science.
....	Roman Law.
....	English Law.

In addition to the Written Examination there will be an Oral Examination in each of the subjects marked thus†, and a Practical Examination in each of the subjects marked thus ‡.

The Oral Examinations in Modern Languages being intended as colloquial *tests, no marks will be given at them to Candidates who are not able to converse.*

Applications for leave to alter or add to the list of subjects named will not be entertained unless received on or before the 1st July 1895.

Any Candidate who wishes to decline *the Oral Examination or the Practical Examination in any of the subjects selected by him, should state this in the blank space below—*

Signature ____________________

Date ____________________

To the Secretary,

Civil Service Commission,

London, S. W.

[Copies of this Syllabus may be obtained on application to the Secretary to the Government of India, Home Department.]

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

Syllabus, showing the extent of the Examination in certain subjects at the Open Competition for admission into the Indian Civil Service in 1895.

ENGLISH COMPOSITION.—An Essay to be written on one of several subjects specified by the Civil Service Commissioners on their Examination Paper.

ENGLISH LANGUAGE AND LITERATURE.—The Examination will be in two parts. In the one the Candidates will be expected to show a general acquaintance with the Course of English Literature, as represented (mainly) by the following writers in verse and prose, between the reign of Edward III and the accession of Queen Victoria:—

Verse—Chaucer, Langland, Spenser, Shakespeare, Milton, Dryden, Pope, Gray, Collins, Johnson, Goldsmith, Crabbe, Cowper, Campbell, Wordsworth, Scott, Byron, Coleridge, Shelley, Keats.

Prose—Bacon, Sir Thomas Browne, Milton, Cowley, Bunyan, Dryden, Swift, Defoe, Addison, Johnson, Burke, Scott, Macaulay (Essays and Biographies).

A minute knowledge of the works of these authors will not be looked for in this part of the Examination, which will, however, test how far the Candidates have studied the chief productions of the greatest English writers *in themselves,* and are acquainted with the leading characteristics of their thought and style, and with the place which each of them occupies in the history of English literature. Candidates will also be expected to show that they have studied in these authors the history of the English language in respect of its vocabulary, syntax, and prosody.

The other part of the Examination will relate to one of the periods named below, which will follow each other year by year in the order indicated—

1.	A.D. 1800 to A.D. 1832
(1895)	[Nineteenth Century writers to the death of Scott.]
2.	A.D 1360 to A.D. 1600
(1896)	[Chaucer to Spenser.]
3.	A.D. 1600 to A.D. 1700
(1897)	[Shakespeare to Dryden]
4.	A.D. 1700 to A.D. 1800
(1898)	[Pope to Cowper]

The Examination in this part will require from Candidates a more minute acquaintance with the history of the English language and literature, as illustrated in the chief works produced in each period, and will be based to a considerable extent, but by no means exclusively, on certain books specified each year by the Commissioners.* The names

* The books for 1895 are:—

Wordsworth: Sonnets.
Coleridge: Poems.
Byron: Childe Harold.
Lamb: Essays of Elia.
Shelley: Poems.
Keats: Poems.
Cobbett: Rural Rides.
Macaulay: Biographies.
Scott: Waverley, Rob Roy, Ivanhoe, Antiquary.
De Quincy: Opium Eater.

placed under the dates are intended to suggest the general character of the literary development of the period, and, consequently, the natural limits of the Examination. All the works of Shakespeare, for example, will be regarded as falling within the period 1600 to 1700; all the works of Swift within the period 1700 to 1800; all the works of Scott and Wordsworth, and all the works of Macaulay within the period 1800 to 1832.

FRENCH LANGUAGE AND LITERATURE.—Translation from French into English, and from English into French; Critical questions on the French Language and Literature.

GERMAN LANGUAGE AND LITERATURE.—As in French.

LATIN LANGUAGE AND LITERATURE.—Translation from Latin into English. Composition in Prose and Verse (in the place of the latter may be taken, by those who prefer it, A PAPER OF QUESTIONS ON LATIN PHILOLOGY). Critical Questions on the Latin Language and Literature.

GREEK LANGUAGE AND LITERATURE.—Translation from Greek into English. Composition in Prose and Verse (in the place of the latter may be taken, by those who prefer it, A PAPER OF QUESTIONS ON GREEK PHILOLOGY). Critical Questions on the Greek Language and Literature.

SANSKRIT LANGUAGE AND LITERATURE.—Translation from Sanskrit into English, and from English into Sanskrit. History of Sanskrit Literature (including knowledge of such Indian history as bears upon the subject); Sanskrit Grammar; Vedic Philology.

ARABIC LANGUAGE AND LITERATURE.—Translations as in Sanskrit; History of Arabic Literature; Arabic Grammar; Arabic Prosody.

ENGLISH HISTORY.—General questions on English History from A.D. 800 to A.D. 1848; questions on the Constitutional History of England from A.D. 800 to A.D. 1848.

Questions covering the whole period named will be set, but Candidates will be allowed to attempt only a limited number of them.

GENERAL MODERN HISTORY.—Candidates may, at their choice, be examined in any one of the following periods :—

1. From the accession of Charlemagne to the Third Crusade. [A.D. 800 to A.D. 1193.]
2. From the Third Crusade to the Diet of Worms. [A.D. 1193 to A.D. 1521.]
3. From the Diet of Worms to the death of Louis XIV. [A.D. 1521 to A.D. 1715.]
4. From the accession of Louis XV to the French Revolution of 1848. [A.D. 1715 to A.D. 1848.]

Periods 3 and 4 will include Indian History.

GREEK HISTORY.—Questions on the General History of Greece to the death of Alexander; questions on the Constitutional History of Greece during the same period.

ROMAN HISTORY.—Questions on the General History of Rome to the death of Vespasian; questions on the Constitutional History of Rome during the same period.

In Greek and Roman History Candidates will be expected to show a knowledge of the original authorities. Questions covering the whole period named will be set, but Candidates will be allowed to attempt only a limited number of them.

MATHEMATICS.—Pure Mathematics :—Algebra, Geometry (Euclid and Geometrical Conic Sections), Plane Trigonometry, Plane Analytical Geometry (less advanced portions), Differential Calculus (Elementary), Integral Calculus (Elementary).

Applied Mathematics :—Statics, Dynamics of a Particle, Hydrostatics, Geometrical Optics; all treated without the aid of the Differential or Integral Calculus.

ADVANCED MATHEMATICS.—Pure Mathematics :—Higher Algebra, including Theory of Equations, Plane and Spherical Trigonometry, Differential Calculus, Integral Calculus, Differential Equations, Analytical Geometry, Plane and Solid.

Applied Mathematics :—Statics, including Attractions, Dynamics of a Particle, Rigid Dynamics, Hydrome chanics, Geometrical and Physical Optics, and Geometrical Astronomy.

POLITICAL ECONOMY AND ECONOMIC HISTORY.—Candidates will be expected to possess a knowledge of economic theory as treated in the larger text books; also a knowledge of the existing economic conditions, and of statistical methods as applied to economic inquiries; together with a general knowledge of the history of industry, land tenure and economic legislation in the United Kingdom.

LOGIC AND MENTAL PHILOSOPHY (*Ancient and Modern*).—Logic will include both Deductive and Inductive Logic.

Mental Philosophy will include Psychology and Metaphysics.

MEDICAL.

The 30th November 1894.

No. 748.—The services of Surgeon-Captain C. H. Bedford, M. D., C. M., I. M. S. (Bengal), are replaced at the disposal of the Military Department, with effect from the date on which he was relieved of his duties as Officiating Professor in the Lahore Medical College.

J. P. HEWETT,
Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 30th November 1894.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 1108.—*Punjab Light Horse*—

Charles Bevan Petman, Esquire, to be Captain, *vice* Grey, promoted.

P. J. MAITLAND,
for *Secretary to the Government of India.*

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED DECEMBER 1ST, 1894.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

EXCLUSION OF THE OFFICE OF THE PRINCIPAL MEDICAL OFFICER, HER MAJESTY'S FORCES, FROM THE OPERATION OF THE CLERKSHIPS EXAMINATION RULES.

No. $\frac{3\text{ Exam.}}{378\ \&\ 389}$.

Extract from the Proceeding of the Government of India, in the Home Department (Examinations),—under date Calcutta, the 28th November 1894.

READ—

Home Department Resolution No. $\frac{2\text{-Ex.}}{188-199}$, dated 5th June 1894.

Office Memorandum from the Military Department, No. 285-M. D., dated 10th October 1894.

RESOLUTION.

UNDER Rule 20 of the Rules for the regulation of appointments in the Secretariat Clerical Service of the Government of India and attached offices, published with the Resolution cited above, these rules apply to the office of the Principal Medical Officer,

Her Majesty's Forces. The clerks in this office, however, are, under the revised constitution of the office establishments of the Principal Medical Officer, Her Majesty's Forces, and of the several Principal Medical Officers of the districts, liable to be transferred to the district offices and to be deputed to field service. The Governor-General in Council, therefore, considers that the rules published with the Home Department Resolution of the 5th June last cannot now be suitably applied to the office of the Principal Medical Officer, Her Majesty's Forces, and is pleased to direct that it should be excluded from their operation.

ORDER.—Ordered, that a copy of the above Resolution be forwarded for information to the Departments of the Government of India (except the Foreign Department); to the heads of offices under the Home Department marginally noted; to the Governments of Bengal, the North-Western Provinces and Oudh, and the Punjab; and to the Secretary to the Board of Examiners.

Sanitary Commissioner with the Government of India.
Surgeon-General with the Government of India.

ORDERED also, that the Resolution be published in the *Gazette of India* for general information.

(True Extract.)

J. P. HEWETT,

Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 13, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 8TH, 1894.

HOME DEPARTMENT.

NOTIFICATION.

ECCLESIASTICAL.

Calcutta, the 4th December 1894.

No. 329.—The services of the Reverend J. G. S. Syme, Chaplain of Berhampore, Bengal, are placed temporarily at the disposal of the Government of the Punjab.

J. P. HEWETT,
Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

FORESTS.

Calcutta, the 5th December 1894.

No. 1262 *F.*—With reference to the Notification of this Department, No. 1186 F., dated the 16th ultimo, Mr. Elliott, Deputy Conservator of Forests, Balúchistán, resumed charge of his office from Mr. Reuther on the 22nd November 1894.

HORSE-BREEDING AND AGRICULTURAL STOCK.

The 6th December 1894.

No. 3115-143.—Veterinary Lieutenant H. P. Turnbull, Superintendent, Civil Veterinary Department, is transferred in the interests of the public service from Madras to the Punjab.

DENZIL IBBETSON,
Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 7th December 1894.

FURLOUGH AND LEAVE.

No. 1133.—Colonel C. H. Ewart, Indian Staff Corps, Inspector-General of Police, and Under-Secretary to the Government of the Punjab, Home (Police) Department, has been permitted, by the Secretary of State for India, to reside out of India on vacating his civil appointment on the 11th December, 1894, under article 756 (*b*), Army Regulations, India, volume I, part I.

P. J. MAITLAND,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 20, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 15TH, 1894.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Calcutta, the 12th December 1894.

No. 1284 *F.*—The following reversions are ordered, with effect from 4th December 1894, in consequence of the return of Mr. H. C Hill, Conservator of Forests, 1st grade, Central Circle, North-Western Provinces and Oudh, from the privilege leave granted him in the Notification of this Department, No. 1135-F., dated the 8th ultimo :—

Mr. E. P. Dansey, Officiating 1st grade Conservator, Punjab—to 2nd grade.

Lieutenant-Colonel C. T. Bingham, I.S.C., Officiating 2nd grade Conservator, Tenasserim Circle, Lower Burma—to 3rd grade.

Colonel J. E. Campbell, I.S.C., Officiating 3rd grade Conservator, Central Circle, North-Western Provinces and Oudh—to Deputy Conservator, 1st grade.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

Calcutta, the 15th December 1894.

[In the following Notification "Notes" means "Promissory Notes of the Government of India," and includes "Stock Certificates" issued in lieu thereof and "Loan Certificates with coupons attached."]

No. 6119 *A.*—Whereas all outstanding Notes of the following four per cent. loans, namely,—

Four per cent. loan of 1st May 1865, as far as not notified for discharge in Notification No. 4092, dated 13th August 1894,

Four per cent. loan of 1835-36,

" " " " 1854-55,

" " sicca rupee loan of 1832-33.

and

Reduced four per cent. loan of 1879,

are under notice of discharge on the 31st December 1894:

It is hereby notified that the said notes will be received for discharge, from and after this day, at the Public Debt Office, Bank of Bengal, Calcutta, and will be discharged in full, including interest up to December 29th inclusive, as soon as they can be examined and passed for payment.

Nothing in this Notification affects the terms of the Notification No. 5080, dated the 8th October 1894, whereby proprietors of such notes and certificates have the option of tendering them for transfer to the 3½ per cent. loan of 1893-94.

By order of the Governor-General in Council,

STEPHEN JACOB,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 14th December 1894.

PROMOTIONS.

COLONEL'S ALLOWANCE.

No. 1170.—The undermentioned Colonels of the Indian Staff Corps are admitted to the Colonel's allowance, with effect from the 13th December 1894—

* * * * * * * *

Leopold John Herbert Grey, C.S.I.

* * * * * * * *

E. H. H. COLLEN, *Major-General,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 27, 1894.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 22ND, 1894.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Calculta, the 21st December 1894.

No. 32.—His Excellency the Governor-General, under the authority vested in him by section 10 of the Indian Councils Act, 1861 (24 and 25 Vict., c. 67), and section 1 of the Indian Councils Act, 1892 (55 and 56 Vict., c 14), has been pleased to nominate Mr. F. W. R. Fryer, C.S.I., Officiating Second Financial Commissioner, Punjab, to be an Additional Member of the Council of the Governor-General for the purpose of making Laws and Regulations.

J. M. MACPHERSON,

Offg. Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Calcutta, the 21st December 1894.

No. 1319-*F.*—On return from the leave granted him in the Notification of this Department, No. 452-F., dated the 3rd May, 1894, and with reference to Notification No. 774-F., dated the 2nd August last, Mr. J. A. McKee, Conservator of Forests, 3rd grade, assumed charge of the Southern Forest Circle in the Central Provinces from Mr. G. G. Minniken, Officiating Conservator, 3rd grade, with effect from 14th December, 1894.

Mr. Minniken reverted on the same date to his substantive appointment of Deputy Conservator, 1st grade, and is retransferred to the Punjab.

DENZIL IBBETSON,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 21st December 1894.

VOLUNTEER CORPS.

RESIGNATIONS.

No. 1211.—*Punjab Light Horse*—

Second-Lieutenant P. Morton resigns his commission.

E. H. H. COLLEN, *Major-General,*

Secretary to the Government of India.

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TO

Punjab Government Gazette

FOR HALF YEAR ENDING

30TH JUNE 1894.

PART IV.

Civil Department.

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TO

Punjab Government Gazette

FOR HALF YEAR ENDING

31ST DECEMBER 1894.

PART IV.

Civil Department.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 15, 1894.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 2nd February, 1894, and is hereby promulgated for general information :—

ACT NO. I OF 1894.

THE LAND ACQUISITION ACT, 1894.

CONTENTS.

The Land Acquisition Act, 1894.

(Part I.—Preliminary.—Sections 1 to 3.)

An Act to amend the law for the acquisition of land for public purposes and for Companies.

WHEREAS it is expedient to amend the law for the acquisition of land needed for public purposes and for Companies and for determining the amount of compensation to be made on account of such acquisition; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title, extent and commencement.

1. (*1*) This Act may be called the Land Acquisition Act, 1894.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force on the first day of March, 1894.

Repeal.

2. (*1*) The Land Acquisition Act, 1870, and section 74 of the Punjab Courts Act, 1884, are hereby repealed.

(*2*) But all proceedings commenced, officers appointed or authorised, agreements published and rules made under the said Land Acquisition Act shall, as far as may be, be deemed to have been respectively commenced, appointed or authorized, published and made under this Act.

(*3*) Any enactment or document referring to the said Land Acquisition Act or to any enactment thereby repealed shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(*a*) the expression "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth:

(*b*) the expression "person interested" includes all persons claiming an interest in compensation to be made on account of the acquisition of land under this Act; and a person shall be deemed to be interested in land if he is interested in an easement affecting the land:

(*c*) the expression "Collector" means the Collector of a district, and includes a Deputy Commissioner and any officer specially appointed by the Local Government to perform the functions of a Collector under this Act:

(*d*) the expression "Court" means a principal Civil Court of original jurisdiction, unless the Local Government has appointed (as it is hereby empowered to do) a special judicial officer within any specified local limits to perform the functions of the Court under this Act:

(*e*) the expression "Company" means a Company registered under the Indian Companies Act, 1882, or under the (English) Companies Acts, 1862 to 1890, or incorporated by an Act of Parliament or of the Governor General in Council, or by Royal Charter or Letters Patent: VI of 1882.

(*f*) the expression "public purpose" includes the provision of village-sites in districts in which the Local Government shall have declared by notification in the official Gazette that it is customary for the Government to make such provision: and

(*g*) the following persons shall be deemed persons "entitled to act" as and to the extent hereinafter provided (that is to say)—

trustees for other persons beneficially interested shall be deemed the persons entitled to act with reference to any such case, and that to the same extent as the persons beneficially interested could have acted if free from disability:

a married woman, in cases to which the English law is applicable, shall be deemed the person so entitled to act, and, whether of full age or not, to the same extent as if she were unmarried and of full age; and

the guardians of minors and the committees or managers of lunatics or idiots shall be deemed respectively the persons so entitled to act, to the same extent as the minors, lunatics or idiots themselves, if free from disability, could have acted:

Provided that—

(*i*) no person shall be deemed "entitled to act" whose interest in the subject-matter shall be shown to the satisfaction of the Collector or Court to be adverse to the interest of the person interested for whom he would otherwise be entitled to act;

The Land Acquisition Act, 1894.
(Part II.—Acquisition.—Sections 4-9.)

(*ii*) in every such case the person interested may appear by a next friend, or, in default of his appearance by a next friend, the Collector or Court, as the case may be, shall appoint a guardian for the case to act on his behalf in the conduct thereof;

(*iii*) the provisions of Chapter XXXI of the Code of Civil Procedure shall, *mutatis mutandis*, apply in the case of persons interested appearing before a Collector or Court by a next friend, or by a guardian for the case, in proceedings under this Act; and

XIV of 1882.

(*iv*) no person "entitled to act" shall be competent to receive the compensation-money payable to the person for whom he is entitled to act, unless he would have been competent to alienate the land and receive and give a good discharge for the purchase-money on a voluntary sale.

PART II.
ACQUISITION.

Preliminary Investigation.

Publication of preliminary notification and powers of officers thereupon.

4. (*1*) Whenever it appears to the Local Government that land in any locality is likely to be needed for any public purpose, a notification to that effect shall be published in the official Gazette, and the Collector shall cause public notice of the substance of such notification to be given at convenient places in the said locality.

(*2*) Thereupon it shall be lawful for any officer, either generally or specially authorized by such Government in this behalf, and for his servants and workmen,—

to enter upon and survey and take levels of any land in such locality;

to dig or bore into the subsoil;

to do all other acts necessary to ascertain whether the land is adapted for such purpose;

to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon;

to mark such levels, boundaries and line by placing marks and cutting trenches;

and, where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle:

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling-house (unless with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.

Payment for damage.

5. The officer so authorized shall at the time of such entry pay or tender payment for all necessary damage to be done as aforesaid, and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the decision of the Collector or other chief revenue-officer of the district, and such decision shall be final.

Declaration of intended Acquisition.

Declaration that land is required for a public purpose.

6. (*1*) Subject to the provisions of Part VII of this Act, whenever it appears to the Local Government that any particular land is needed for a public purpose, or for a Company, a declaration shall be made to that effect under the signature of a Secretary to such Government or of some officer duly authorized to certify its orders:

Provided that no such declaration shall be made unless the compensation to be awarded for such property is to be paid by a Company, or wholly or partly out of public revenues or some fund controlled or managed by a local authority.

(*2*) The declaration shall be published in the official Gazette, and shall state the district or other territorial division in which the land is situate, the purpose for which it is needed, its approximate area, and, where a plan shall have been made of the land, the place where such plan may be inspected.

(*3*) The said declaration shall be conclusive evidence that the land is needed for a public purpose or for a Company, as the case may be; and, after making such declaration, the Local Government may acquire the land in manner hereinafter appearing.

After declaration, Collector to take order for acquisition.

7. Whenever any land shall have been so declared to be needed for a public purpose, or for a Company, the Local Government, or some officer authorized by the Local Government in this behalf, shall direct the Collector to take order for the acquisition of the land.

Land to be marked out, measured and planned.

8. The Collector shall thereupon cause the land (unless it has been already marked out under section 4) to be marked out. He shall also cause it to be measured, and (if no plan has been made thereof) a plan to be made of the same.

Notice to persons interested.

9. (*1*) The Collector shall then cause public notice to be given at convenient places on or near the land to be taken, stat-

The Land Acquisition Act, 1894.

(Part II.—Acquisition.—Sections 10-17.)

ing that the Government intends to take possession of the land, and that claims to compensation for all interests in such land may be made to him.

(2) Such notice shall state the particulars of the land so needed, and shall require all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, and their objections (if any) to the measurements made under section 8. The Collector may in any case require such statement to be made in writing and signed by the party or his agent.

(3) The Collector shall also serve notice to the same effect on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside, or have agents authorized to receive service on their behalf, within the revenue district in which the land is situate.

(4) In case any person so interested resides elsewhere, and has no such agent, the notice shall be sent to him by post in a letter addressed to him at his last known residence, address or place of business and registered under Part III of the Indian Post Office Act, 1866.

Power to require and enforce the making of statements as to names and interests.

10. (1) The Collector may also require any such person to make or deliver to him, at a time and place mentioned (such time not being earlier than fifteen days after the date of the requisition), a statement containing, so far as may be practicable, the name of every other person possessing any interest in the land or any part thereof as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and of the nature of such interest, and of the rents and profits (if any) received or receivable on account thereof for three years next preceding the date of the statement.

(2) Every person required to make or deliver a statement under this section or section 9 shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code.

Enquiry into Measurements, Value and Claims, and Award by the Collector.

Enquiry and award by Collector.

11. On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 9 to the measurements made under section 8, and into the value of the land, and into the respective interests of the persons claiming the compensation, and shall make an award under his hand of—

(i) the true area of the land;

(ii) the compensation which in his opinion should be allowed for the land; and

(iii) the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.

Award of Collector when to be final.

12. (1) Such award shall be filed in the Collector's office and shall, except as hereinafter provided, be final and conclusive evidence, as between the Collector and the persons interested, whether they have respectively appeared before the Collector or not, of the true area and value of the land, and the apportionment of the compensation among the persons interested.

(2) The Collector shall give immediate notice of his award to such of the persons interested as are not present personally or by their representatives when the award is made.

Adjournment of enquiry.

13. The Collector may, for any cause he thinks fit, from time to time adjourn the enquiry to a day to be fixed by him.

Power to summon and enforce attendance of witnesses and production of documents.

14. For the purpose of enquiries under this Act, the Collector shall have power to summon and enforce the attendance of witnesses, including the parties interested or any of them, and to compel the production of documents by the same means, and (so far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure. XIV o

Matters to be considered and neglected.

15. In determining the amount of compensation, the Collector shall be guided by the provisions contained in sections 23 and 24.

Taking Possession.

Power to take possession.

16. When the Collector has made an award under section 11, he may take possession of the land, which shall thereupon vest absolutely in the Government, free from all encumbrances.

Special powers in cases of urgency.

17. (1) In cases of urgency, whenever the Local Government so directs, the Collector, though no such award has

The Land Acquisition Act, 1894.

(Part III.—Reference to Court and Procedure thereon.—Sections 18-21.)

been made, may, on the expiration of fifteen days from the publication of the notice mentioned in section 9, sub-section (*1*), take possession of any waste or arable land needed for public purposes or for a Company. Such land shall thereupon vest absolutely in the Government, free from all encumbrances.

(*2*) Whenever, owing to any sudden change in the channel of any navigable river or other unforeseen emergency, it becomes necessary for any Railway Administration to acquire the immediate possession of any land for the maintenance of their traffic or for the purpose of making thereon a river-side or ghat station, or of providing convenient connection with or access to any such station, the Collector may, immediately after the publication of the notice mentioned in sub-section (*1*) and with the previous sanction of the Local Government, enter upon and take possession of such land, which shall thereupon vest absolutely in the Government free from all encumbrances:

Provided that the Collector shall not take possession of any building or part of a building under this sub-section without giving to the occupier thereof at least forty-eight hours' notice of his intention so to do or such longer notice as may be reasonably sufficient to enable such occupier to remove his moveable property from such building without unnecessary inconvenience.

(*3*) In every case under either of the preceding sub-sections the Collector shall at the time of taking possession offer to the persons interested compensation for the standing crops and trees (if any) on such land and for any other damage sustained by them caused by such sudden dispossession and not excepted in section 24; and, in case such offer is not accepted, the value of such crops and trees and the amount of such other damage shall be allowed for in awarding compensation for the land under the provisions herein contained.

PART III.

REFERENCE TO COURT AND PROCEDURE THEREON.

Reference to Court.

18. (*1*) Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Court, whether his objection be to the measurement of the land, the amount of the compensation, the persons to whom it is payable, or the apportionment of the compensation among the persons interested.

(*2*) The application shall state the grounds on which objection to the award is taken:

Provided that every such application shall be made,—

(*a*) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award;

(*b*) in other cases, within six weeks of the receipt of the notice from the Collector under section 12, sub-section (*2*), or within six months from the date of the Collector's award, whichever period shall first expire.

Collector's statement to the Court.

19. (*1*) In making the reference, the Collector shall state, for the information of the Court, in writing under his hand,—

(*a*) the situation and extent of the land, with particulars of any trees, buildings or standing crops thereon;

(*b*) the names of the persons whom he has reason to think interested in such land;

(*c*) the amount awarded for damages and paid or tendered under sections 5 and 17, or either of them, and the amount of compensation awarded under section 11; and,

(*d*) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.

(*2*) To the said statement shall be attached a schedule giving the particulars of the notices served upon, and of the statements in writing made or delivered by, the parties interested respectively.

Service of notice.

20. The Court shall thereupon cause a notice, specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served on the following persons, namely:—

(*a*) the applicant;

(*b*) all persons interested in the objection, except such (if any) of them as have consented without protest to receive payment of the compensation awarded; and,

(*c*) if the objection is in regard to the area of the land or to the lamount of the compensation, the Collector

Restriction on scope of proceedings.

21. The scope of the inquiry in every such proceeding shall be restricted to a consideration of the interests of the persons affected by the objection.

The Land Acquisition Act, 1894.

(Part III.—Reference to Court and Procedure thereon.—Sections 22-28.)

Proceedings to be in open Court.

22. Every such proceeding shall take place in open Court, and all persons entitled to practise in any Civil Court in the province shall be entitled to appear, plead and act (as the case may be) in such proceeding.

Matters to be considered in determining compensation.

23. (*1*) In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration—

first, the market-value of the land at the date of the publication of the declaration relating thereto under section 6;

secondly, the damage sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector's taking possession thereof;

thirdly, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;

fourthly, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, moveable or immoveable, in any other manner, or his earnings;

fifthly, if, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change; and

sixthly, the damage (if any) *bonâ fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under section 6 and the time of the Collector's taking possession of the land.

(*2*) In addition to the market-value of the land, as above provided, the Court shall in every case award a sum of fifteen per centum on such market-value, in consideration of the compulsory nature of the acquisition.

Matters to be neglected in determining compensation.

24. But the Court shall not take into consideration,—

first, the degree of urgency which has led to the acquisition;

secondly, any disinclination of the person interested to part with the land acquired;

thirdly, any damage sustained by him which, if caused by a private person, would not render such person liable to a suit;

fourthly, any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under section 6, by or in consequence of the use to which it will be put;

fifthly, any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;

sixthly, any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put; or,

seventhly, any outlay or improvements on, or disposal of, the land acquired, commenced, made or effected without the sanction of the Collector after the date of the publication of the declaration under section 6.

Rules as to amount of compensation.

25. (*1*) When the applicant has made a claim to compensation, pursuant to any notice given under section 9, the amount awarded to him by the Court shall not exceed the amount so claimed or be less than the amount awarded by the Collector under section 11.

(*2*) When the applicant has refused to make such claim, or has omitted without sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded by the Court shall in no case exceed the amount awarded by the Collector.

(*3*) When the applicant has omitted for a sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded to him by the Court shall not be less than, and may exceed, the amount awarded by the Collector.

Form of awards.

26. Every award under this Part shall be in writing signed by the Judge, and shall specify the amount awarded under clause *first* of sub-section (*1*) of section 23, and also the amounts (if any) respectively awarded under each of the other clauses of the same sub-section, together with the grounds of awarding each of the said amounts.

Costs.

27. (*1*) Every such award shall also state the amount of costs incurred in the proceedings under this Part, and by what persons and in what proportions they are to be paid.

(*2*) When the award of the Collector is not upheld, the costs shall ordinarily be paid by the Collector, unless the Court shall be of opinion that the claim of the applicant was so extravagant or th[illegible] he was so negligent in putting his c[illegible] before the Collector that some deduction from his costs should be made or that he should pay a part of the Collector's costs.

Collector may be directed to pay interest on excess compensation.

28. If the sum which, in the opinion of the Court, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the award of the Court may direct

The Land Acquisition Act, 1894.

(*Part I.V—Apportionment of Compensation.—Sections 29-30. Part V.—Payment.—Sections 31-32.*)

that the Collector shall pay interest on such excess at the rate of six per centum per annum from the date on which he took possession of the land to the date of payment of such excess into Court.

PART IV.

APPORTIONMENT OF COMPENSATION.

Particulars of apportionment to be specified.

29. Where there are several persons interested, if such persons agree in the apportionment of the compensation, the particulars of such apportionment shall be specified in the award, and as between such persons the award shall be conclusive evidence of the correctness of the apportionment.

Dispute as to apportionment.

30. When the amount of compensation has been settled under section 11, if any dispute arises as to the apportionment of the same or any part thereof, or as to the persons to whom the same or any part thereof is payable, the Collector may refer such dispute to the decision of the Court.

PART V.

PAYMENT.

Payment of compensation or deposit of same in Court.

31. (*1*) On making an award under section 11, the Collector shall tender payment of the compensation awarded by him to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by some one or more of the contingencies mentioned in the next sub-section.

(*2*) If they shall not consent to receive it, or if there be no person competent to alienate the land, or if there be any dispute as to the title to receive the compensation or as to the apportionment of it, the Collector shall deposit the amount of the compensation in the Court to which a reference under section 18 would be submitted:

Provided that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount:

Provided also that no person who has received the amount otherwise than under protest shall be entitled to make any application under section 18:

Provided also that nothing herein contained shall affect the liability of any person, who may receive the whole or any part of any compensation awarded under this Act, to pay the same to the person lawfully entitled thereto.

(*3*) Notwithstanding anything in this section, the Collector may, with the sanction of the Local Government, instead of awarding a money compensation in respect of any land, make any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land-revenue on other lands held under the same title, or in such other way as may be equitable having regard to the interests of the parties concerned.

(*4*) Nothing in the last foregoing sub-section shall be construed to interfere with or limit the power of the Collector to enter into any arrangement with any person interested in the land and competent to contract in respect thereof.

Investment of money deposited in respect of lands belonging to persons incompetent to alienate.

32. (*1*) If any money shall be deposited in Court under sub-section (*2*) of the last preceding section and it appears that the land in respect whereof the same was awarded belonged to any person who had no power to alienate the same, the Court shall—

(*a*) order the money to be invested in the purchase of other lands to be held under the like title and conditions of ownership as the land in respect of which such money shall have been deposited was held, or

(*b*) if such purchase cannot be effected forthwith, then in such Government or other approved securities as the Court shall think fit;

and shall direct the payment of the interest or other proceeds arising from such investment to the person or persons who would for the time being have been entitled to the possession of the said land, and such moneys shall remain so deposited and invested until the same be applied—

(*i*) in the purchase of such other lands as aforesaid; or

(*ii*) in payment to any person or persons becoming absolutely entitled thereto.

(*2*) In all cases of moneys deposited to which this section applies the Court shall order the costs of the following matters, including therein all reasonable charges and expenses incident thereto, to be paid by the Collector, namely:—

(*a*) the costs of such investments as aforesaid;

(*b*) the costs of the orders for the payment of the interest or other proceeds of the securities upon which such moneys are for the time being invested, and for the payment out of Court of the principal of such moneys, and of all proceedings relating thereto, except such as may be occasioned by litigation between adverse claimants.

The Land Acquisition Act, 1894.

(Part V.—Payment.—Sections 33-34. Part VI.—Temporary Occupation of Land.—Sections 35-37. Part VII.—Acquisition of Land for Companies.—Sections 38-40.)

Investment of money deposited in other cases.

33. When any money shall have been deposited in Court under this Act for any cause other than that mentioned in the last preceding section, the Court may, on the application of any party interested or claiming an interest in such money, order the same to be invested in such Government or other approved securities as it may think proper, and may direct the interest or other proceeds of any such investment to be accumulated and paid in such manner as it may consider will give the parties interested therein the same benefit therefrom as they might have had from the land in respect whereof such money shall have been deposited or as near thereto as may be.

Payment of interest.

34. When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of six per centum per annum from the time of so taking possession until it shall have been so paid or deposited.

PART VI.

TEMPORARY OCCUPATION OF LAND.

Temporary occupation of waste or arable land. Procedure when difference as to compensation exists.

35. (*1*) Subject to the provisions of Part VII of this Act, whenever it appears to the Local Government that the temporary occupation and use of any waste or arable land are needed for any public purpose, or for a Company, the Local Government may direct the Collector to procure the occupation and use of the same for such term as it shall think fit, not exceeding three years from the commencement of such occupation.

(*2*) The Collector shall thereupon give notice in writing to the persons interested in such land of the purpose for which the same is needed, and shall, for the occupation and use thereof for such term as aforesaid, and for the materials (if any) to be taken therefrom, pay to them such compensation, either in a gross sum of money, or by monthly or other periodical payments, as shall be agreed upon in writing between him and such persons respectively.

(*3*) In case the Collector and the persons interested differ as to the sufficiency of the compensation or apportionment thereof, the Collector shall refer such difference to the decision of the Court.

Power to enter and take possession, and compensation on restoration.

36. (*1*) On payment of such compensation, or on executing such agreement, or on making a reference under section 35, the Collector may enter upon and take possession of the land, and use or permit the use thereof in accordance with the terms of the said notice.

(*2*) On the expiration of the term, the Collector shall make or tender to the persons interested compensation for the damage (if any) done to the land and not provided for by the agreement, and shall restore the land to the persons interested therein :

Provided that, if the land has become permanently unfit to be used for the purpose for which it was used immediately before the commencement of such term, and if the persons interested shall so require, the Local Government shall proceed under this Act to acquire the land as if it was needed permanently for a public purpose or for a Company.

Difference as to condition of land.

37. In case the Collector and persons interested differ as to the condition of the land at the expiration of the term, or as to any matter connected with the said agreement, the Collector shall refer such difference to the decision of the Court.

PART VII.

ACQUISITION OF LAND FOR COMPANIES.

Company may be authorized to enter and survey.

38. (*1*) Subject to such rules as the Governor General of India in Council may from time to time prescribe in this behalf, the Local Government may authorize any officer of any Company desiring to acquire land for its purposes to exercise the powers conferred by section 4.

(*2*) In every such case section 4 shall be construed as if for the words "for such purpose" the words "for the purposes of the Company" were substituted ; and section 5 shall be construed as if after the words "the officer" the words "of the Company" were inserted.

Previous consent of Local Government and execution of agreement necessary.

39. The provisions of sections 6 to 37 (both inclusive) shall not be put in force in order to acquire land for any Company, unless with the previous consent of the Local Government, nor unless the Company shall have executed the agreement hereinafter mentioned.

Previous enquiry.

40. (*1*) Such consent shall not be given unless the Local Government be satisfied, by an enquiry held as hereinafter provided,—

(*a*) that such acquisition is needed for the construction of some work, and

(*b*) that such work is likely to prove useful to the public.

The Land Acquisition Act 1894.

(Part VII.—Acquisition of Land for Companies.—Sections 41-44. Part VIII.—Miscellaneous.—Sections 45-48.)

(2) Such enquiry shall be held by such officer and at such time and place as the Local Government shall appoint.

(3) Such officer may summon and enforce the attendance of witnesses and compel the production of documents by the same means and, as far as possible, in the same manner as is provided by the Code of Civil Procedure in the case of a Civil Court.

XIV of 1882.

Agreement with Secretary of State in Council.

41. Such officer shall report to the Local Government the result of the enquiry, and, if the Local Government is satisfied that the proposed acquisition is needed for the construction of a work, and that such work is likely to prove useful to the public, it shall, subject to such rules as the Governor General of India in Council may from time to time prescribe in this behalf, require the Company to enter into an agreement with the Secretary of State for India in Council, providing to the satisfaction of the Local Government for the following matters, namely :—

(1) the payment to Government of the cost of the acquisition ;

(2) the transfer, on such payment, of the land to the Company ;

(3) the terms on which the land shall be held by the Company ;

(4) the time within which, and the conditions on which, the work shall be executed and maintained ; and

(5) the terms on which the public shall be entitled to use the work.

Publication of agreement.

42. Every such agreement shall, as soon as may be after its execution, be published in the Gazette of India, and also in the local official Gazette, and shall thereupon (so far as regards the terms on which the public shall be entitled to use the work) have the same effect as if it had formed part of this Act.

Sections 39 to 42 not to apply where Government bound by agreement to provide land for Companies.

X of 1870.

43. The provisions of sections 39 to 42, both inclusive, shall not apply, and the corresponding sections of the Land Acquisition Act, 1870, shall be deemed never to have applied, to the acquisition of land for any Railway or other Company, for the purposes of which, under any agreement between such Company and the Secretary of State for India in Council, the Government is, or was, bound to provide land.

How agreement between Railway Company and Secretary of State may be proved.

44. In the case of the acquisition of land for the purposes of a Railway Company, the existence of such an agreement as is mentioned in section 43 may be proved by the production of a printed copy thereof purporting to be printed by order of Government.

PART VIII.

MISCELLANEOUS.

Service of notices.

45. (1) Service of any notice under this Act shall be made by delivering or tendering a copy thereof signed, in the case of a notice under section 4, by the officer therein mentioned, and, in the case of any other notice, by or by order of the Collector or the Judge.

(2) Whenever it may be practicable, the service of the notice shall be made on the person therein named.

(3) When such person cannot be found, the service may be made on any adult male member of his family residing with him ; and, if no such adult male member can be found, the notice may be served by fixing the copy on the outer door of the house in which the person therein named ordinarily dwells or carries on business, or by fixing a copy thereof in some conspicuous place in the office of the officer aforesaid or of the Collector or in the court-house, and also in some conspicuous part of the land to be acquired :

Provided that, if the Collector or Judge shall so direct, a notice may be sent by post, in a letter addressed to the person named therein at his last known residence, address or place of business and registered under Part III of the Indian Post Office Act, 1866, and service of it may be proved by the production of the addressee's receipt.

Penalty for obstructing acquisition of land.

46. Whoever wilfully obstructs any person in doing any of the acts authorized by section 4 or section 8, or wilfully fills up, destroys, damages or displaces any trench or mark made under section 4, shall, on conviction before a Magistrate, be liable to imprisonment for any term not exceeding one month, or to fine not exceeding fifty rupees, or to both.

Magistrate to enforce surrender.

47. If the Collector is opposed or impeded in taking possession under this Act of any land, he shall, if a Magistrate, enforce the surrender of the land to himself, and, if not a Magistrate, he shall apply to a Magistrate or (within the towns of Calcutta, Madras and Bombay) to the Commissioner of Police, and such Magistrate or Commissioner (as the case may be) shall enforce the surrender of the land to the Collector.

Completion of acquisition not compulsory, but compensation to be awarded when not completed.

48. (1) Except in the case provided for in section 36, the Government shall be at liberty to withdraw from the acquisition of any land of which possession has not been taken.

(2) Whenever the Government withdraws from any such acquisition, the Collector shall

The Land Acquisition Act, 1894.

(Part VIII.—Miscellaneous.—Sections 49—55.)

determine the amount of compensation due for the damage suffered by the owner in consequence of the notice or of any proceedings thereunder, and shall pay such amount to the person interested, together with all costs reasonably incurred by him in the prosecution of the proceedings under this Act relating to the said land.

(3) The provisions of Part III of this Act shall apply, so far as may be, to the determination of the compensation payable under this section.

Acquisition of part of house or building.

49. (1) The provisions of this Act shall not be put in force for the purpose of acquiring a part only of any house, manufactory or other building, if the owner desire that the whole of such house, manufactory or building shall be so acquired:

Provided that the owner may, at any time before the Collector has made his award under section 11, by notice in writing, withdraw or modify his expressed desire that the whole of such house, manufactory or building shall be so acquired:

Provided also that, if any question shall arise as to whether any land proposed to be taken under this Act does or not form part of a house, manufactory or building within the meaning of this section, the Collector shall refer the determination of such question to the Court and shall not take possession of such land until after the question has been determined.

In deciding on such a reference the Court shall have regard to the question whether the land proposed to be taken is reasonably required for the full and unimpaired use of the house, manufactory or building.

(2) If, in the case of any claim under section 23, sub-section (1), *thirdly*, by a person interested, on account of the severing of the land to be acquired from his other land, the Local Government is of opinion that the claim is unreasonable or excessive, it may, at any time before the Collector has made his award, order the acquisition of the whole of the land of which the land first sought to be acquired forms a part.

(3) In the case last hereinbefore provided for, no fresh declaration or other proceedings under sections 6 to 10, both inclusive, shall be necessary; but the Collector shall without delay furnish a copy of the order of the Local Government to the person interested, and shall thereafter proceed to make his award under section 11.

Acquisition of land at cost of a local authority or Company.

50. (1) Where the provisions of this Act are put in force for the purpose of acquiring land at the cost of any fund controlled or managed by a local authority or of any Company, the charges of and incidental to such acquisition shall be defrayed from or by such fund or Company.

(2) In any proceeding held before a Collector or Court in such cases the local authority or Company concerned may appear and adduce evidence for the purpose of determining the amount of compensation:

Provided that no such local authority or Company shall be entitled to demand a reference under section 18.

Exemption from stamp-duty and fees.

51. No award or agreement made under this Act shall be chargeable with stamp-duty, and no person claiming under any such award or agreement shall be liable to pay any fee for a copy of the same.

Notice in case of suits for anything done in pursuance of Act.

52. No suit or other proceeding shall be commenced or prosecuted against any person for anything done in pursuance of this Act, without giving to such person a month's previous notice in writing of the intended proceeding, and of the cause thereof, nor after tender of sufficient amends.

Code of Civil Procedure to apply to proceedings before Court.

53. Save in so far as they may be inconsistent with anything contained in this Act, the provisions of the Code of Civil Procedure shall apply to all proceedings before the Court under this Act. XIV of 18[illegible]

Appeals in proceedings before Court.

54. Subject to the provisions of the Code of Civil Procedure applicable to appeals from original decrees, an appeal shall lie to the High Court from the award or from any part of the award of the Court in any proceedings under this Act. XIV of 18[illegible]

Power to make rules.

55. (1) The Local Government shall have power to make rules consistent with this Act for the guidance of officers in all matters connected with its enforcement, and may from time to time alter and add to the rules so made.

(2) The power to make, alter and add to rules under sub-section (1) shall be subject to the condition of the rules being made, altered or added to after previous publication.

(3) All such rules, alterations and additions shall, when sanctioned by the Governor General in Council, be published in the official Gazette, and shall thereupon have the force of law.

S. HARVEY JAMES,

Secretary to the Government of India.

The Land Acquisition Act, 1894.

Part VII.—Miscellaneous.—Sections [illegible]—55.

[illegible] amount of compensation due for [illegible] by the [illegible] proceedings [illegible] of any proceedings thereunder, [illegible] such amount to the person [illegible] with all costs reasonably [illegible] in the prosecution of the proceedings under this Act relating to the said [illegible].

[illegible] provisions of Part III of this Act [illegible] as may be, to the determination [illegible] compensation payable under this section.

[illegible] the provisions of this Act shall not be [illegible] put in force for the purpose of acquiring [illegible] part only of any house, manufactory or other building, [illegible] desires that the whole of such [illegible] manufactory or building shall be so [illegible].

[illegible] the owner may at any time [illegible] Collector has made his award under [illegible] withdraw or [illegible] that the whole of [illegible] manufactory or building shall be so [illegible].

[illegible] that, if any question shall [illegible] whether any land proposed to be [illegible] or not form part of [illegible] manufactory or building within the [illegible] section, the Collector shall [illegible] such question to the [illegible] not be taken possession of such [illegible] that the question has been determined.

[illegible] on such a reference the Court [illegible] to the question whether the [illegible] to be taken is reasonably [illegible] for the full and unimpaired use of [illegible] manufactory or building.

[illegible] case of any claim under section [illegible] by a person [illegible] account of the severing [illegible] from his other land, [illegible] at any time before the [illegible] the Collector [illegible] land [illegible].

[illegible] the foregoing provisions [illegible] such person [illegible] the Local Government [illegible].

50. (1) Where the provisions of this Act are put in force for the purpose of acquiring land at the cost of any fund controlled or managed by a local authority or of any Company, the charges of and incidental to such acquisition shall be defrayed from or by such fund or Company.

(2) In any proceeding held before a Collector or Court in such cases the local authority or Company concerned may appear and adduce evidence for the purpose of determining the amount of compensation:

Provided that no such local authority or Company shall be entitled to demand a reference under section 18.

51. No award or agreement made under this Act shall be chargeable with stamp-duty, and no person claiming under any such award or agreement shall be liable to pay any fee for a copy of the same.

52. No suit or other proceeding shall be commenced or prosecuted against any person for anything done in pursuance of this Act, without giving to such person a month's previous notice in writing of the intended proceeding, and of the cause thereof, nor after tender of sufficient amends.

53. Save in so far as they may be inconsistent with anything contained in this Act, the provisions of the Code of Civil Procedure shall apply to all proceedings before the Court under this Act.

54. Subject to the provisions of the Code of Civil Procedure applicable to appeals from original decrees, an appeal shall lie to the High Court from the award or from any part of the award of the Court in any proceedings under this Act.

55. (1) The Local Government shall have power to make rules consistent with this Act for the guidance of officers in all matters connected with its enforcement, and may from time to time alter and add to the rules so made.

(2) The power to make, alter and add to rules under sub-section (1) shall be subject to the condition of the rules being made, altered or added to after previous publication.

(3) All such rules, alterations and additions shall, when sanctioned by the [illegible] in Council, be published in the [illegible] and shall thereupon have the force of law.

[illegible]

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 23rd February, 1894, and is hereby promulgated for general information :—

ACT NO. III OF 1894.

An Act to amend the Code of Criminal Procedure, 1882, and the Indian Penal Code.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1882, and the Indian Penal Code; It is hereby enacted as follows :—

Code of Criminal Procedure, 1882.

1. To section 44 of the Code of Criminal Procedure, 1882, the following shall be added, namely :—

Addition to section 44 of Code of Criminal Procedure, 1882.

"Any act committed, at any place out of British India, which, if committed in British India, would be punishable under any of the following sections of the Indian Penal Code, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459 and 460, shall be deemed to be an offence for the purposes of this section."

2. In section 45 of the Code of Criminal Procedure, 1882, the following shall be added after clause (*d*) and substituted for the *Explanation*, namely :— X of 1882.

Addition to section 45 of same Code.

"(*e*) the commission of, or intention to commit, at any place out of British India near such village any act which, if committed in British India, would be an offence punishable under any of the following sections of the Indian Penal Code, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459 and 460. XLV of 1[...]

"In this section—

(*i*) 'village' includes village-lands; and

(*ii*) the expression 'proclaimed offender' includes any person proclaimed as an offender by any Court or authority established or continued by the Governor General in Council in any part of India in respect of any act which, if committed in British India, would be punishable under any of the following sections of the Indian Penal Code, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459 and 460." XLV of [...]

3. In section 54 of the Code of Criminal Procedure, 1882, the word "and" in clause *fifthly* is repealed, the word "and" shall be added to clause *sixthly*, and the X of 18[...]

Amendment of, and addition to, section 54 of same Code.

following shall be inserted after clause *sixthly*, namely :—

"*seventhly*, any person who has been concerned in, or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been concerned in, any act committed at any place out of British India, which, if committed in British India, would have been punishable as an offence, and for which he is, under any law relating to extradition or under the Fugitive Offenders Act, 1881, or otherwise, liable to be apprehended or detained in custody in British India."

4. In Schedule II of the Code of Criminal Procedure, 1882, immediately after the entries relating to section 216 of the Indian Penal Code the following shall be inserted, namely :—

Addition to Schedule II of same Code.

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.	Column 6.	Column 7.	Column 8.
216A	Harbouring robbers or dacoits.	Ditto ...	Ditto ...	Ditto	Ditto ...	Rigorous imprisonment for seven years and fine.	Court of Session, Presidency Magistrate or Magistrate of the first class.

Indian Penal Code.

.V of 1860.

5. To section 177 of the Indian Penal Code the following shall be added, namely :—

Addition to section 177 of Indian Penal Code.

"*Explanation.*—In section 176 and in this section the word 'offence' includes any act committed at any place out of British India, which, if committed in British India, would be punishable under any of the following sections, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459 and 460; and the word 'offender' includes any person who is alleged to have been guilty of any such act."

6. To section 203 of the said Code the following shall be added, namely :—

Addition to section 203 of same Code.

"*Explanation.*—In sections 201 and 202 and in this section the word 'offence' includes any act committed at any place out of British India, which, if committed in British India, would be punishable under any of the following sections, namely, 302, 304 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459 and 460."

' of 1860.

7. In section 212 of the Indian Penal Code, immediately before the *Exception* the following shall be inserted, namely:—

Addition to section 212 of same Code.

"'Offence' in this section includes any act committed at any place out of British India, which, if committed in British India, would be punishable under any of the following sections, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449 450, 457, 458, 459 and 460; and every such act shall, for the purposes of this section, be deemed to be punishable as if the accused person had been guilty of it in British India."

8. After section 216 of the said Code the following shall be inserted, namely :—

Addition of new sections after section 216 of same Code.

"216A. Whoever, knowing or having reason to believe that any persons are about to commit or have recently committed robbery or dacoity, harbours them or any of them, with the intention of facilitating the commission of such robbery or dacoity or of screening them or any of them from punishment, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Penalty for harbouring robbers or dacoits.

"*Explanation.*—For the purposes of this section it is immaterial whether the robbery or dacoity is intended to be committed, or has been committed, within or without British India.

"*Exception.*—This provision does not extend to the case in which the harbour is by the husband or wife of the offender.

"216B. In sections 212, 216 and 216A the word 'harbour' includes the supplying a person with shelter, food, drink, money, clothes, arms, ammunition or means of conveyance, or the assisting a person in any way to evade apprehension."

Definition of 'harbour' in sections 212, 216 and 216A.

S. HARVEY JAMES,
Secretary to the Government of India.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 2nd March, 1894, and is hereby promulgated for general information :—

ACT NO. V OF 1894.

An Act to amend the Code of Civil Procedure.

1882. WHEREAS it is expedient to amend the Code of Civil Procedure; It is hereby enacted as follows :—

Title and commencement.

1. (*1*) This Act may be called the Civil Procedure Code Amendment Act, 1894; and

1882. (*2*) It shall come into force at once.

Addition of new section after section 310 of Code.

2. After section 310 of the Code of Civil Procedure the following shall be inserted, namely :—

Application by judgment-debtor to set aside sale on deposit of debt.

"310A. Any person whose immoveable property has been sold under this Chapter may at any time within thirty days from the date of sale apply to have the sale set aside on his depositing in Court—

(*a*) for payment to the purchaser, a sum equal to five per centum of the purchase-money, and

(*b*) for payment to the decree-holder, the amount specified in the proclamation of sale as that for the recovery of which the sale was ordered, less any amount which may, since the date of such proclamation of sale, have been received by the decree-holder.

"If such deposit is made within the thirty days, the Court shall pass an order setting aside the sale :

Provided that, if a person applies under the next following section to set aside the sale of his immoveable property, he shall not be entitled to make an application under this section.

"Nothing in this section shall be construed to relieve the judgment-debtor from any liability he may be under in respect of costs and interest not covered by the proclamation of sale."

Amendment of section 315 of Code.

3. In section 315 of the Code of Civil Procedure the figures and letter "310A" shall be inserted after the word "section" and before the figures "312". XIV

S. HARVEY JAMES,

Secretary to the Government of India.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General India in Council received the assent of His ecellency the Governor General on the 8th arch, 1894, and is hereby promulgated for eneral information :—

ACT NO. VI OF 1894.

Act to amend the Indian Stamp Act, 1879, with respect to Policies of Sea and Fire Insurance and Sale Certificates.

WHEREAS it is expedient to amend the Indian amp Act, 1879, with respect to policies of sea fire insurance and sale-certificates ; It is eby enacted as follows :—

Policies of Sea and Fire Insurance.

Addition to definition of "policy of insurance" in section 3, clause (15), respecting sea-insurance.

1. To clause (*15*) of section 3 of the Indian Stamp Act, 1879, as amended by section 1 of Act I of 1888, the following shall be added, namely :—

"It includes also a policy of sea-insurance, ch a policy (*a*) meaning any insurance made on any ship or vessel, or upon the machinery, kle or furniture of any ship or vessel, or upon y goods, merchandise or property of any description whatever on board of any ship or vessel, pon the freight of, or any other interest ch may be lawfully insured in or relating any ship or vessel, and (*b*) including any insurance of goods, merchandise or property for transit which includes not only a sea risk but any other risk incidental to the transit ured from the commencement of the transit to the ultimate destination covered by the insurance :

"and where any person, in consideration of any sum of money paid or to be paid for additional freight or otherwise, agrees to take upon himself any risk attending goods, merchandise or property of any description whatever while on board of any ship or vessel, or engages to indemnify the owner of any such goods, merchandise or property from any risk, loss or damage, such agreement or engagement shall be deemed to be a contract for sea-insurance."

Insertion of new section between sections 7 and 8, respecting sea-insurance.

2. Between section 7 and section 8 of the said Act the following section shall be inserted, namely :—

Policies of sea-insurance.

"7A. (*1*) No contract for sea-insurance (other than such insurance as is referred to in section 55 of the Merchant Shipping Act Amendment Act, 1862,) shall be valid unless the same is expressed in a policy of sea-insurance. 25 & 26 Vict. c. 63.

"(*2*) No policy of sea-insurance made for time shall be made for any time exceeding twelve months.

"(*3*) No policy of sea-insurance shall be valid unless it specifies the particular risk or adventure, or the time, for which it is made, the names of the subscribers or underwriters, and the amount or amounts insured.

"(*4*) Where any sea-insurance is made for or upon a voyage and also for time, or to extend to or cover any time beyond thirty days after the ship shall have arrived at her destination and been there moored at anchor, the policy shall be charged with duty as a policy for or upon a voyage, and also with duty as a policy for time."

Amendment of Schedule I, respecting sea-insurance.

3. For division (*a*) of article 49 of Schedule I of the said Act, as amended by section 2 of Act I of 1888, relating to sea-insurance, the following shall be substituted, namely :—

	DESCRIPTION OF INSTRUMENT.	PROPER STAMP-DUTY.
		Rs. A. P.
49. POLICY OF INSURANCE.	(*a*) In the case of sea-insurance—	
	(*1*) for or upon any voyage—	
	(i) where the premium or consideration does not exceed the rate of two annas or one-eighth per centum of the amount insured by the policy	0 1 0
	(ii) in any other case, in respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy . . .	0 2 0
	(*2*) for time—	
	(iii) in respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy—	
	where the insurance shall be made for any time not exceeding six months . . .	0 2 0
	where the insurance shall be made for any time exceeding six months and not exceeding twelve months . .	0 4 0

Amendment of, and addition to, article 49, Schedule I, respecting sea and fire re-insurances.

4. (*1*) In division (*c*) of article 49 of Schedule I of the said Act, as amended by section 2 of Act I of 1888, the following shall be added after the words "In the case of any other insurance," namely, "except such a re-assurance as is described in division (*d*) of this article—".

(*2*) After division (*c*) of article 49 of Schedule I of the said Act, amended as aforesaid, the following division shall be added, namely :—

	DESCRIPTION OF INSTRUMENT.	PROPER STAMP-DUTY.
		Rs. A. P.
49. POLICY OF INSURANCE—*concld.*	(*d*) In the case of a re-insurance, by an Insurance Company which has granted a policy of sea-insurance or a policy of insurance against loss by fire, with another Company by way of indemnity or guarantee against the payment on the original insurance of a certain part of the sum insured thereby . .	1 0 0

Sale-Certificates.

Inapplicability of section 24 to sale-certificates.

5. Section 24 of the said Act shall be held not to apply and never to have applied to any such certificate of sale as is mentioned in article 16 of Schedule I of that Act:

Provided that nothing in this section shall be deemed to affect any decree or order made by any Court or Revenue-officer before the commencement of this Act.

Amendment of Schedule I, respecting sale-certificates.

6. In the third column of Schedule I of the said Act, after the words "the purchase-money" against article 16, the word "only" shall be added.

S. HARVEY JAMES,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 8th March, 1894, and is hereby promulgated for general information :—

ACT NO. VII OF 1894.

An Act to amend the Prisoners Act, 1871.

WHEREAS it is expedient to amend the Prisoners Act, 1871; It is hereby enacted as follows :—

Addition to section 1, Act V, 1871.

1. To section 1 of the said Act the following shall be added, namely :—

"Any reference in Part III or Part V of this Act to a prison or jail, or to imprisonment or confinement, may be read as referring to a reformatory or reformatory school or to confinement therein."

Repeal of section 9, Act V, 1871.

2. Section 9 of the said Act is hereby repealed.

Amendment of section 14, Act V, 1871.

3. In section 14 of the said Act, for the words "or in pursuance of a warrant of any Court established in Calcutta, Madras or Bombay under the Presidency Small Cause Courts Act, 1882," the following shall be substituted, namely:—

"or in pursuance of a warrant of any Civil Court established in Calcutta, Madras or Bombay under any law for the time being in force."

Amendment of, and addition to, section 16, Act V, 1871.

4. (1) In section 16 of the said Act, for the words "acting under the authority" the words "acting, whether within or without British India, under the general or special authority" shall be substituted.

(2) To the same section the following shall be added, namely :—

"or, with the previous sanction of the Governor General in Council in each case, to any sentence or order or warrant for the detention of any person passed or issued by any Court or tribunal of any Native Prince or State under the suzerainty of Her Majesty :

"Where a Court or tribunal of such a Native Prince or State has passed a sentence which cannot be executed without the concurrence of an officer of the British Government, and such sentence has been judicially considered on the merits and confirmed by any such officer specially authorised by name or by office in that behalf, such sentence, and any order or warrant issued in pursuance thereof, shall be deemed to be the sentence, order or warrant of a Court or tribunal acting under the authority of the Governor General in Council."

Amendment of, and addition to, section 19, Act V, 1871.

5. (1) For the first fifty-one words of section 19 of the said Act the following shall be substituted, namely :—

"The Governor General in Council or the Local Government may authorise the reception, in British India, or in any place under such Government, as the case may be, for the period specified in their respective sentences, of persons sentenced within the territories of any Native Prince or State under the suzerainty of Her Majesty to imprisonment or transportation for any of the following offences :".

(2) In the same section, after the words "theft of cattle" the following shall be inserted, namely :—

"or for any other act (referred to in this section as an offence) which would, if done in British India, have constituted an offence against any of the sections of the Indian Penal Code mentioned in the schedule to the Foreign Jurisdiction and Extradition Act, 1879,". XLV of 18 XI of 18

(3) For the proviso to the same section the following shall be substituted, namely :—

"Provided that such sentences have been pronounced after trial before a tribunal of which the presiding Judge, or, if the Court consisted of more than one Judge, at least one of such Judges, was an officer of the British Government authorised to act as such Judge by the Native Prince or State or by the Governor General in Council."

Substitution of new section for section 30, Act V, 1871.

6. For section 30 of the said Act the following shall be substituted, namely :—

Removal from one jail to another in territories under same Local Government.

"30. When any person is, or has been, sentenced to imprisonment or transportation by any Court, or, in default of giving security for keeping the peace or maintaining good behaviour, has been committed to, or is detained in, prison under section 123 of the Code of Criminal Procedure, 1882, the Local Government, or (subject to its orders and under its control) the Inspector General of Prisons may order his removal during the period for which he has been sentenced to imprisonment or transportation or the security has been ordered to be given, as the case may be, from the jail or place in which he is confined to any other jail or place of confinement within the territories subject to the same Local Government." X of 188

Substitution of new section for section 32, Act V, 1871.

7. For section 32 of the said Act the following shall be substituted, namely :—

Removal of prisoners from territories under one Local Government to territories under another.

"32. When any person is, or has been, sentenced to imprisonment or transportation by any Court, or, in default of giving security for maintaining good behaviour, has been committed to, or is detained in, prison under section 123 of the Code of Criminal Procedure, 1882, the Governor General in Council may order his removal during the period for which he has been sentenced to imprisonment or transportation or the security has been ordered to be given, as the case may be, from the jail or place in which he is confined to any other jail or place of confinement in British India." X of 18

S. HARVEY JAMES.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th March, 1894, and is hereby promulgated for general information :—

ACT No. VIII OF 1894.

THE INDIAN TARIFF ACT, 1894.

CONTENTS.

An Act to amend the law relating to Customs-duties, and for other purposes.

WHEREAS it is expedient to amend the law relating to the duties of customs on goods imported and exported by sea, and to provide for the levy of duties on goods crossing the frontier of certain Foreign European Settlements in India and of the territories of certain Native Chiefs; It is hereby enacted as follows :—

Title, extent and commencement.

1. (*1*) This Act may be called the Indian Tariff Act, 1894.

(*2*) It extends to the whole of British India except Aden and Perim; and

(*3*) It shall come into force at once.

Repeal.

2. (*1*) The Acts mentioned in the first schedule are repealed to the extent specified therein :

(*2*) But all notifications published, and rules and orders made, under any of those Acts, and in force immediately before the commencement of this Act, shall, so far as they are consistent herewith, be deemed to have been respectively published and made under this Act : and

(*3*) All references made to the Indian Tariff Act, 1875, and the Indian Tariff Act, 1882, in Acts or Regulations passed before the commencement of this Act, shall be deemed to be made to this Act. XVI of 18 / XI of 188

(*4*) Nothing in this Act shall authorize the levy of duties of customs on any article carried from one customs-port in British India to another such port, except salt, opium and spirit.

Duties specified in schedules to be levied.

3. There shall be levied and collected, in every port to which this Act applies, the duties specified in the second, third, fourth and fifth schedules.

Export of pepper from Cochin.

4. On all pepper exported by sea from the port of Cochin there shall be levied such duty not exceeding nine rupees per khandi as the Governor of Fort Saint George in Council may determine; and at the close of each year, or as soon thereafter as may be convenient, the Customs-Collector at the said port shall, after deducting the expenses of collection, pay the duty collected under this section to the Governments of Travancore and Cochin in such proportion and in such manner as the Governor of Fort Saint George in Council may direct.

Duties on goods crossing certain frontiers.

5. (1) Duties of customs shall be levied at the rates respectively prescribed in the second, third and fourth schedules on goods passing by land out of, and in the fifth schedule on goods passing by land into,—

(a) Foreign European Settlements in India;

(b) any territory declared, under the power hereinafter in this section conferred, to be foreign territory.

(2) Subject to the control of the Governor General in Council, the Governor of Fort Saint George in Council and the Governor of Bombay in Council may, by notification in the local official Gazette, respectively, declare that the territory of any Native Chief situate within, or bordering on, the territories respectively administered by such Governors, but not subject to the jurisdiction of the Courts and Civil authorities of such territories, shall be deemed, for the purposes of this section, to be foreign territory.

(3) The Governor General in Council may, by notification in the Gazette of India, declare that the territory of any other Native Chief shall be deemed, for the purposes of this section, to be foreign territory.

Amendment of Act XVI, 1863, section 1.

6. In Act No. XVI of 1863, section 1, for the words "calculated at ten" the words "not exceeding five" shall be substituted.

Duty on salt, opium and spirit, when protected by a certificate.

7. (1) Salt, opium and spirit imported from any port in British India, and protected by the certificate of an officer empowered in that behalf by the Governor General in Council or the Local Government, are chargeable with only the amount, if any, by which the duty leviable thereon under the third schedule exceeds the duty shown by such certificate to have been already paid in respect thereof.

(2) The amount, if any, paid to the Government as the price of such salt or opium is not duty within the meaning of this section.

(3) Nothing in this section applies to spirit which is exported under bond for excise-duty from one customs-port to another customs-port under the provisions of Chapter XIV of the Sea Customs Act, 1878.

Application of certain provisions as to duties and goods.

8. So far as regards the Presidency of Fort Saint George, the unrepealed provisions of Act No. VI of 1844, and, so far as regards the Presidency of Bombay, the unrepealed provisions of Act No. XXIX of 1857, relating to the levy of duties and to dutiable goods, shall, *mutatis mutandis*, apply to duties levied and goods liable to duty under or by virtue of section 5, sub-section (1), clause (b).

Power to cancel notifications.

9. All notifications published under this Act may be cancelled by the authority publishing the same.

When contracts have been entered into, amount of increased or decreased duty to be added or deducted.

10. In the event of any duty of customs or excise on any article being imposed, increased, decreased or remitted after the making of any contract for the sale of such article without stipulation as to the payment of duty where duty was not chargeable at the time of the making of the contract, or for the sale of such article duty-paid where duty was chargeable at that time,—

(a) if such imposition or increase so takes effect that the duty or increased duty, as the case may be, is paid, the seller may add so much to the contract price as will be equivalent to the duty or increase of duty, and he shall be entitled to be paid and to sue for and recover such addition, and

(b) if such decrease or remission so takes effect that the decreased duty only or no duty, as the case may be, is paid, the purchaser may deduct so much from the contract-price as will be equivalent to the decrease of duty or remitted duty, and he shall not be liable to pay or be sued for or in respect of such deduction.

Amendment of Act VIII of 1878, section 23.

11. In the second paragraph of section 23 of the Sea Customs Act, 1878, the words "with the previous sanction of the Governor General in Council" shall be inserted after the word "may."

SCHEDULE I.—(ACTS REPEALED.)

Number and year.	Title.	Extent of repeal.
	Acts of the Governor General in Council.	
XI of 1882	Indian Tariff Act, 1882	So much as has not been repealed.
II of 1887	An Act to amend the Sea Customs Act, 1878, the Excise Act, 1881, and the Indian Tariff Act, 1882.	Section 8.
II of 1888	An Act to provide for the levy of a customs-duty on Petroleum.	Section 1.
VIII of 1889	An Act to amend the Sea Customs Act, 1878, and the Indian Tariff Act, 1882.	Sections 3, 4 and 5.
XII of 1890	An Act to amend the Indian Tariff Act, 1882	The whole.
I of 1892	An Act to amend the Indian Tariff Act, 1882	Ditto.
IX of 1893	An Act to amend the Indian Tariff Act, 1882, as amended by subsequent Acts.	Ditto.

SCHEDULE II.—(IMPORT TARIFF.)

Arms, Ammunition and Military Stores, including, in addition to the articles specifically mentioned in this Schedule,

(*a*) all articles which are either "arms" or "ammunition" within the meaning of the Indian Arms Act, and XI of 1878.

(*b*) any articles which the Governor General in Council may, by notification in the Gazette of India, declare to be "Military Stores" for the purposes of this Act.

Names of Articles.	Duty. R	a.
1. Firearms other than pistols, for each	50	0
2. Barrels for the same, whether single or double, for each	30	0
3. Pistols, for each	15	0
4. Barrels for the same, whether single or double, for each	10	0
5. Springs used for firearms, for each	8	0
6. Gunstocks, sights, blocks and rollers, for each	5	0
7. Revolver-breeches, for each cartridge they will carry	2	8
8. Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb-pieces, triggers, trigger-guards, hammers, pistons, plates and all other parts of a firearm not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each	1	8
9. Machines for making or loading or closing cartridges, for each	10	0
10. Machines for capping cartridges, for each	2	0

Exception I.—Articles falling under the 5th, 6th, 8th, 9th or 10th head of the foregoing list, when they appertain to a firearm, falling under the 1st or 3rd head, and are fitted into the same case with such firearm, are free.

Exception II.—The following are also free, namely:—

(*a*) Arms forming part of the regular equipment of an officer entitled to wear diplomatic, military or police uniform;

(*b*) a sword, a revolver or a pair of pistols when accompanying an officer of Her Majesty's Regular Forces, or a commissioned officer of a volunteer corps, or certified by the commandant of the corps to which such officer belongs, or, in the case of an officer not attached to any corps, by the officer commanding the station or district in which such officer is serving, to be imported by the officer for the purposes of his equipment;

(*c*) swords and revolvers which are certified by an Inspector-General of Police to be part of the ordinary equipment of members of the Police force under his charge;

(*d*) swords forming part of the equipment of native commissioned officers of Her Majesty's Army;

(*e*) swords for presentation as army or volunteer prizes;

(*f*) arms, ammunition and military stores imported with the sanction of the Government of India for the use of any portion of the military forces of a Native State in India, which may be maintained and organised for Imperial Service;

(*g*) Morris tubes and patent ammunition when imported by officers commanding British and Native regiments or volunteer corps, for the instruction of their men.

Proviso 1.—No duty in excess of ten per cent. *ad valorem* shall be levied upon any of the articles mentioned in the foregoing list when they are imported in reasonable quantity, for his own private use, by any person lawfully entitled to possess the same.

Proviso 2.—When any articles which have been otherwise imported, and upon which duty has been levied or is leviable

under numbers 1 to 10 are purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs-Collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of ten per centum *ad valorem*; and if such Collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such refund or remission, he shall grant the same accordingly.

	Tariff valuation.	Rate of duty.
	R a.	
11. Gunpowder, common, per lb	0 5	10 per cent.
" sporting, "	1 0	
12. All other sorts of arms, ammunition, and military stores	*ad valorem.*	

SCHEDULE III.—(IMPORT TARIFF.)

LIQUORS, OPIUM, SALT, AND SALTED FISH.

No.	Names of Articles.	Per	Rate of duty.
			R a.
1	LIQUORS— Ale, beer and porter Cider and other fermented liquors	Imperial gallon or six quart bottles.	0 1
	Liqueurs	"	6 0
	Spirit intended to be used exclusively in arts or manufactures, or in chemistry, and which has been rendered effectually and permanently unfit for human consumption. Spirit when used in drugs, medicines or chemicals in a proportion of less than twenty per cent. of spirit of the strength of London proof.	......	Five per cent. *ad valorem.*
	Spirit when so used in a proportion of twenty per cent. and upwards.	Imperial gallon or six quart bottles of the strength of London proof.	6 0 and the duty to be increased or reduced in proportion as the strength of the spirit exceeds or is less than London proof.
	Spirit, perfumed, in wood or in bottles	Imperial gallon or six quart bottles.	8 0
	Spirit, other sorts	Imperial gallon or six quart bottles of the strength of London proof.	6 0 and the duty to be increased or reduced in proportion as the strength of the spirit exceeds or is less than London proof.
	Wines— Champagne and all other sparkling wines not containing more than 42 per cent. of proof spirit.	Imperial gallon or six quart bottles.	2 8
	Champagne and all other sparkling wines containing more than 42 per cent. of proof spirit.	"	6 0
	All other sorts of wines not containing more than 42 per cent. of proof spirit.	"	1 0
	All other sorts of wines containing more than 42 per cent. of proof spirit.	"	6 0
2	OPIUM not covered by a Government pass	ser of 80 tolas	24 0
3	SALT	Indian maund of 82⅙ lb avoirdupois weight.	The rate at which excise duty is for the time being leviable on salt manufactured in the place where the import takes place.
4	SALTED fish, wet or dry	"	Such rate or rates of duty not exceeding twelve annas, as the Governor General in Council may, by notification in the Gazette of India, from time to time prescribe.

SCHEDULE IV.—(IMPORT TARIFF.)

GENERAL DUTIES.

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Articles of Food and Drink.		R a.	
1	COFFEE	cwt.	65 0	Five per cent.
2	FRUITS AND VEGETABLES—			
	Almonds without shell	"	40 0	"
	" in the shell	"	13 0	"
	Cashew or cajoo kernels	"	12 0	"
	Cocoanuts	thousand	40 0	"
	" kernel (khopra)	cwt.	9 0	"
	Currants, European	"	35 0	"
	" Persian	"	12 0	"
	Dates, dry, in bags	"	5 0	"
	" wet "	"	4 0	"
	" " in pots and boxes	"	8 0	"
	Figs, European	"	42 0	"
	" Persian, dried	"	6 8	"
	Garlic	"	5 0	"
	Pistachio nuts	"	25 0	"
	Prunes, Bussora (álu-Bokhara)	"	10 0	"
	Raisins, black, Persian Gulf, Red Sea and Kishmish	"	12 0	"
	" Munakka, Persian Gulf, and Red Sea	"	10 0	"
	" Malaga and bloom	lb	0 10	"
	" Other sorts	......	*ad valorem*	"
	Walnuts	cwt.	6 0	"
	All other sorts, except fresh fruits and vegetables not separately enumerated, which are free	......	*ad valorem*	"
3	PROVISIONS, OILMAN'S STORES, AND GROCERIES—			
	Bacon in cans, jowls and cheeks	lb	0 12	"
	Beef and Pork	{ tierce of 3 cwt. { barrel of 2 cwt.	75 0 50 0	" "
	Biche de mer	cwt.	50 0	"
	Butter	lb	1 0	"
	Cheese	"	0 12	"
	China preserves	box of six jars	8 0	"
	Fish-maws	cwt.	100 0	"
	Flour	barrel or sack of 200 lb	20 0	"
	Ghi	cwt.	40 0	"
	Groceries not otherwise described	......	*ad valorem*	"
	Pork hams	lb	0 12	"
	Sago	cwt.	10 0	"
	Shark-fins	"	30 0	"
	Singally and Sozille	"	15 0	"
	Tapioca	"	12 0	"
	Vinegar, European, in wood	Imperial gallon	1 0	"
	" Persian	"	1 0	"
	" Country	"	0 6	"
	All other sorts of Provisions, Oilman's Stores, and Groceries	......	*ad valorem*	"
4	SPICES—			
	Aniseed, star	cwt.	25 0	"
	Betelnuts—Goa	"	14 0	"
	" —in the husk	thousand	2 0	"
	" —white, srivarddhan	cwt.	28 0	"
	" all other sorts	"	7 0	"
	Cardamoms, other than bastard	"	250 0	"
	Chillies, dry	"	9 0	"
	Cloves	"	20 0	"
	" stems and heads	"	5 0	"
	" in seeds, narlavang	"	8 0	"
	Ginger, dry	"	20 0	"
	Mace	lb	1 8	"
	Nutmegs	"	1 0	"
	" in shell	"	0 10	"
	Pepper, black and long	cwt.	16 0	"
	" white	"	35 0	"
	All other sorts of spices	......	*ad valorem*	"

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
			R a.	
	Articles of Food and Drink—concld.			
5	SUGAR, China, candy	cwt.	20 0	Five per cent.
	,, loaf	,,	23 0	,,
	,, crystallised beet	,,	14 0	,,
	,, all other sorts, including saccharine produce of all kinds and confectionery	......	*ad valorem*	,,
6	TEA, black	lb	0 10	,,
	,, green	,,	1 4	,,
	Chemicals, Drugs, Medicines and Narcotics, and Dyeing and Tanning materials.			
7	CHEMICAL PRODUCTS AND PREPARATIONS—			
	Acid, sulphuric	lb	0 2	,,
	Alkali, country (sajji-khár)	cwt.	2 0	,,
	Alum	,,	5 0	,,
	Arsenic	,,	25 0	,,
	,, China mansil	,,	16 0	,,
	Bicarbonate of soda	,,	7 0	,,
	Copperas, green	,,	3 0	,,
	Explosives, namely, blasting gelatine, dynamite, roburite, tonite, and all other descriptions	......	*ad valorem*	,,
	Sal ammoniac	cwt.	30 0	,,
	Sulphur (brimstone), flour	,,	5 8	,,
	,, (,,) roll	,,	5 0	,,
	,, (,,) rough	,,	4 0	,,
	All other sorts of chemical products and preparations	......	*ad valorem*	,,
8	DRUGS, MEDICINES AND NARCOTICS—			
	Aloes, black	cwt.	14 0	,,
	,, Socotra	,,	25 0	,,
	Aloe-wood	lb	3 0	,,
	Asafœtida (hing)	cwt.	80 0	,,
	,, coarse (hingrá)	,,	18 0	,,
	Atáry, Persian	,,	15 0	,,
	Brimstone (amalsára)	,,	45 0	,,
	Camphor, Bhemsaini (baras)	lb	100 0	,,
	,, refined, cake	,,	1 0	,,
	,, crude, in powder	,,	0 12	,,
	Cassia lignea	cwt.	20 0	,,
	China root (chobchini), rough	,,	7 0	,,
	,, ,, ,, scraped	,,	16 0	,,
	Galangal, China	,,	8 0	,,
	Pellitory (akalkára)	,,	30 0	,,
	Salep	,,	100 0	,,
	Senna leaves	,,	4 8	,,
	Storax, liquid (rose melloes)	,,	46 0	,,
	Tobacco manufactured and unmanufactured	......	*ad valorem*	,,
	All other sorts of drugs, medicines and narcotics, except Quinine, which is free, and Opium (for which see Schedule III).	......	,,	,,
9	DYEING AND TANNING MATERIALS—			
	Alizarine dyes, all colours	......	*ad valorem*	,,
	Aniline ,, ,,	lb	1 8	,,
	Cochineal	,,	1 0	,,
	Gallnuts, myrabolams	cwt.	4 8	,,
	,, Persian	,,	37 0	,,
	Madder or manjit	,,	12 0	,,
	Orchilla weed	,,	9 8	,,
	Sappan wood and root	,,	5 8	,,
	All other sorts of dyeing and tanning materials	......	*ad valorem*	,,
	Metals and Manufactures of Metals.			
10	HARDWARE AND CUTLERY, including ironmongery and plated-ware, but excluding machinery and the component parts of machinery, which are free	......	,,	,,

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Metals and Manufactures of Metals—contd.		R a.	
11	METALS, unwrought and wrought, and articles made of metals—			
	Brass, beads, ghúngri, China	thousand	1 0	Five per cent.
	" old	cwt.	27 0	"
	" sheets, rolls, very thin	"	75 0	"
	" wire	lb	0 7	"
	" all other sorts	......	*ad valorem*	"
	Copper, Australian	cwt.	40 0	"
	" bolt	"	43 0	"
	" brazier's and sheets	"	43 0	"
	" China cash	"	32 0	"
	" Japan	"	38 0	"
	" nails and composition nails	"	43 0	"
	" old	"	38 0	"
	" pigs and slabs	"	38 0	"
	" sheathing plate, and raised bottoms	"	45 0	"
	" tiles, ingots, cakes and bricks	"	39 0	"
	" china, white, copper-ware	lb	1 2	"
	" foil or dánkpana	hundred leaves	3 0	"
	" wire, including wire of phosphor-bronze	lb	0 9	"
	" all other sorts, unmanufactured and manufactured	......	*ad valorem*	"
	Gold leaf, European	hundred leaves	3 0	"
	" " China and mock	......	*ad valorem*	"
	Iron, anchors and cables	......	"	One per cent.
	" angle and T	ton	110 0	"
	" beams, pillars, girders, bridge-work and other descriptions of iron imported exclusively for building purposes	......	*ad valorem*	"
	" flat, square, and bolt, including Scotch	ton	90 0	"
	" galvanised, other than nails	cwt.	9 8	"
	" " sheets and ridging	"	9 8	"
	" hoop, plate, and sheet, other than Swedish	ton	128 0	"
	" nails, rose, clasp, and flat-headed, rivets and washers	cwt.	11 0	"
	" nails, other sorts, including galvanised	......	*ad valorem*	"
	" nail-rod	ton	100 0	"
	" old	cwt.	2 0	"
	" pig	ton	50 0	"
	" pipes and tubes	......	*ad valorem*	"
	" rice bowls	set of ten	4 9	"
	" " "	set of six	2 9	"
	" rod, round, other than Swedish, not exceeding half an inch in diameter	ton	100 0	"
	" rod, round, other than Swedish, exceeding half an inch in diameter	"	90 0	"
	" Swedish, flat, square, and bolt	"	145 0	"
	" " nail-rod	"	170 0	"
	" " round rod, not exceeding half an inch in diameter	"	180 0	"
	" tinned plates	cwt.	10 0	"
	" all other sorts, including wire, but excluding railway materials, which are free	......	*ad valorem*	"
	Lametta, double reels	score	4 8	Five per cent.
	" single "	......	*ad valorem*	"
	Lead, ore, galena	cwt	12 0	"
	" pig	"	9 8	"
	" pipes	......	*ad valorem*	"
	" sheets, other than sheets for tea chests, which are free	cwt.	10 0	"
	Orsidue and brass leaves, foreign, European	lb	1 2	"
	" " " China	"	1 0	"
	Patent or yellow metal, sheathing, sheets and bolts	cwt.	38 0	"
	Patent or yellow metal, sheathing, sheets and bolts, old	"	30 0	"
	Quicksilver	lb	1 6	"
	Shot, bird	cwt.	16 0	"
	Silver bullion or coin, except current coin of the Government of India, which is free	......	*ad valorem*	One per cent.
	Steel, blistered	cwt.	7 0	"
	" British and foreign, other than Swedish	......	*ad valorem*	"
	" cast	......	"	"

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Metals and Manufactures of Metals—concld.			
11	METALS unwrought and wrought, and articles made of metals—*concld.*		R a.	
	Steel, spring	cwt.	7 0	One per cent.
	" Swedish	"	13 0	"
	Steel, all other sorts, except railway materials, which are free	......	*ad valorem*	"
	Tin, block	cwt.	70 0	Five per cent.
	" foil, China	lb	0 12	"
	" other sorts	......	*ad valorem*	"
	Zinc or spelter, nails	cwt.	21 0	"
	" " plates and other shapes, soft	"	16 0	"
	" " " " hard	"	13 0	"
	" " sheet or sheathing	"	18 0	"
	" " all other sorts	......	*ad valorem*	"
	All other sorts of metals except gold bullion and coin, which are free	......	"	"
	Oils.			
12	OILS—			
	Cassia	lb	3 0	"
	Cocoanut	cwt.	13 0	"
	Grass	lb	1 12	"
	Jinjili or til	cwt.	15 0	"
	Linseed, European	Imperial gallon	1 12	"
	Otto of sorts	ounce	10 0	"
	Petroleum, including also naphtha and the liquids commonly known by the names of rock-oil, Rangoon oil, Burma oil, kerosine, paraffin oil, mineral oil, petroline, gasoline, benzol, benzoline, benzine, and any inflammable liquid which is made from petroleum, coal, schist, shale, peat or any other bituminous substance, or from any products of petroleum	Imperial gallon	......	One anna.
	" which has its flashing point at or above two hundred degrees of Fahrenheit's thermometer and is proved to the satisfaction of the Customs Collector to be intended for use exclusively for the batching of jute or other fibre or for lubricating purposes	......	*ad valorem*	Five per cent.
	Sandalwood	lb	8 0	"
	Turpentine	Imperial gallon	1 14	"
	Whale (except spermaceti) and fish	cwt.	15 0	"
	Wood	"	25 0	"
	All other sorts of oil	......	*ad valorem*	"
	Other Articles, unmanufactured and manufactured.			
13	APPAREL, including haberdashery and millinery and military and other uniforms and accoutrements, but excluding boots and shoes (for which see No. 39) and uniforms and accoutrements imported by a public servant for his personal use, which are free	......	*ad valorem*	"
14	BRUSHES, all sorts	......	"	"
15	BUILDING AND ENGINEERING MATERIALS, namely, Asphalt, Cement of all kinds, earthenware piping, and other kinds	......	"	"
16	CABINET-WARE AND FURNITURE	......	"	"
17	CANDLES, paraffin	lb	0 5	"
	" spermaceti	"	0 6	"
	" wax	"	1 0	"
	" all other sorts, including composition	"	0 5	"

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.			
18	CANES, RATTANS, ARTICLES MADE OF CANE OR RATTAN, AND BASKET WORK—		R a.	
	Canes, Malacca	dozen	1 0	Five per cent.
	Rattans	cwt.	7 0	"
	All other sorts except common bamboos, which are free	......	*ad valorem*	"
19	CARRIAGES and component parts thereof, except railway carriages and trucks, which are free	......	"	"
20	CHINESE AND JAPANESE-WARE, including lacquered-ware, but excluding earthenware, china and porcelain (for which see No. 26)	......	"	"
21	CLOCKS, WATCHES and other timekeepers	......	"	"
22	COIR AND ARTICLES MADE OF COIR, EXCEPT CABLES AND ROPE (for which see No. 24)—			
	Yarn of all kinds	cwt.	9 0	"
	All other sorts	......	*ad valorem*	"
23	CORAL, real	......	"	"
24	CORDAGE AND ROPE made of any vegetable fibre—			
	Coir, cables, tarred	cwt.	10 0	"
	" rope	"	10 0	"
	Cordage, hemp, European	"	25 0	"
	" " Manila	"	30 0	"
	Twine, sail, European	lb	0 8	"
	All other sorts of cordage and rope	......	*ad valorem*	"
25	CORK and articles made of cork—			
	Bottle-corks	gross	1 0	"
	Vial corks	"	0 4	"
	All other sorts	......	*ad valorem*	"
26	EARTHENWARE (except Earthenware piping, for which see No. 15), china, china clay and porcelain	......	*ad valorem*	"
27	FEATHERS	......	"	"
28	FIREWORKS, China	box of 133⅓ lb	35 0	"
	" all other sorts	......	*ad valorem*	"
29	FLAX and articles made of Flax, including linen-thread	......	*ad valorem*	"
30	GLASS, glass-ware, beads, false pearls, and false corals—			
	Bangles, glass, China, gilt	hundred pairs	15 0	"
	" " " not gilt	"	3 0	"
	Beads, China	cwt.	36 0	"
	Coral, false	......	*ad valorem*	"
	Glass, China, all colours	133⅓ lb	32 0	"
	" crown, coloured	100 superficial feet	14 0	"
	" " of sizes	"	6 8	"
	Pearls, false, Bajria	lákh	3 0	"
	" " Boria	thousand	1 0	"
	" " Jauria	lákh	5 0	"
	" " Lolakh	thousand	0 12	"
	" " Nathia	"	0 3	"
	" " Tachia	"	1 0	"
	" " Wattanah	lákh	10 0	"
	All other sorts of beads, false pearls, glass and glassware	......	*ad valorem*	"
31	GUMS, GUM-RESINS, and articles made of gum or gum-resin—			
	Copal	cwt.	56 0	"
	Cutch and gambier	"	17 0	"

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.			
31	GUMS, GUM-RESINS, and articles made of gum or gum-resin—*contd.*		R a.	
	Gum Ammoniac	cwt.	14 0	Five per cent.
	" Arabic	"	18 0	"
	" Bdellium (common gum)	"	10 0	"
	" Benjamin	"	40 0	"
	" Bysabol (coarse myrrh)	"	14 0	"
	" Olibanum or frankincense	"	12 0	"
	" Persian (false)	"	10 0	"
	" Kino	"	10 0	"
	Myrrh	"	40 0	"
	Rosin	"	4 4	"
	All other sorts of gums, gum-resins, and articles made of gum or gum-resin	......	*ad valorem*	"
32	HEMP and articles made of hemp— Piece-goods and all other sorts (except rope, for which see No. 24)	......	"	"
33	HIDES AND SKINS (except raw or salted hides and skins, which are free)—			
	Hides, border	each	32 0	"
	" buffalo	score	80 0	"
	" cow	"	60 0	"
	Skins, all kinds	......	*ad valorem*	"
34	INSTRUMENTS AND APPARATUS— Musical, Drawing, Measuring, Optical, Photographic (including materials for photography), Surveying and Surgical (including surgical appliances)	......	*ad valorem*	"
35	IVORY AND IVORY-WARE—			
	Unmanufactured—			
	Elephants' grinders	cwt.	125 0	"
	Elephants' tusks (other than hollows, centres and points) each exceeding 20lb in weight and hollows, centres and points each weighing 10lb and over	"	800 0	"
	Elephants' tusks (other than hollows, centres and points) not less than 10lb and not exceeding 20lb each, and hollows, centres and points each weighing less than 10lb	"	680 0	"
	Elephants' tusks each less than 10lb (other than hollows, centres and points)	"	525 0	"
	Sea-cow or moye teeth, each not less than 4lb	"	175 0	"
	Sea-cow or moye teeth, each not less than 3lb and under 4lb	"	170 0	"
	Sea-cow or moye teeth, each less than 3lb	"	130 0	"
	Articles made of ivory	......	*ad valorem*	"
36	JEWELLERY, including plate—			
	Silverware, plain } other than European	tola	1 0	"
	" embossed or chased } other than European	"	1 4	"
	All other sorts, except precious stones and pearls, unset, which are free	......	*ad valorem*	"
37	JUTE, articles made of	......	"	"
38	LAC, all sorts	......	"	"
39	LEATHER and articles made of Leather, including Boots and Shoes, Harness and Saddlery, but excluding Belting for driving Machinery, which is free	......	*ad valorem*	"
40	MARINE AND NAVAL STORES, not otherwise described	......	"	"
41	MATCHES, Lucifer, and all other sorts	......	"	"

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.		R a.	
42	MATS—			
	Floor-matting, China and Singapore, of all sorts	hundred	75 0	Five per cent.
	All other sorts, except coir-matting (for which see No. 22)	......	*ad valorem*	"
43	OIL-CLOTH AND FLOOR-CLOTH	......	"	"
44	PAINTS, COLOURS, PAINTERS' MATERIALS, and Compositions for application to leather and metals—			
	Ochre, other than European, all colours	cwt.	1 8	"
	Paints of sorts	"	9 0	"
	" composition	"	56 0	"
	" patent driers	"	10 0	"
	Prussian blue, China	lb	0 10	"
	" " European	"	1 0	"
	Red lead	cwt.	12 0	"
	Turpentine	Imperial gallon	1 14	"
	Verdigris	cwt.	70 0	"
	Vermilion, Canton	box of 90 bundles	94 0	"
	White lead	cwt.	14 0	"
	All other sorts	......	*ad valorem*	"
45	PAPER of all kinds	......	"	"
46	PERFUMERY—			
	Rose-flowers, dried	cwt.	12 0	"
	Rose-water	Imperial gallon	1 14	"
	All other sorts, except perfumed spirit (for which see Schedule III)	......	*ad valorem*	"
47	PIECE-GOODS not otherwise described, except cotton piece-goods, which are free	......	"	"
48	PIPES and other implements used in the consumption of tobacco	......	"	"
49	PITCH, TAR AND DAMMER—			
	Bitumen	......	"	"
	Dammer	cwt.	6 0	"
	Pitch, American and European	"	6 0	"
	" coal	"	2 8	"
	Tar, American and European	"	6 0	"
	" coal	"	2 8	"
	" mineral	......	*ad valorem*	"
50	SEEDS—			
	Castor	cwt.	4 8	"
	Cummin	"	17 0	"
	" black	"	6 0	"
	Linseed	"	5 8	"
	Methi	"	4 0	"
	Mustard, rape or sarson	"	5 0	"
	Poppy	"	6 0	"
	Quince, bihidána	"	45 0	"
	Sozirá	"	22 0	"
	Til or jinjili	"	7 8	"
	All other sorts	......	*ad valorem*	"
51	SHELLS AND COWRIES—			
	Chanks—large shells, for cameos	hundred	6 8	"
	" white, live	"	7 0	"
	" " dead	"	4 0	"
	Cowras	"	0 8	"
	Cowries, bazar, common	cwt.	3 0	"
	" Maldive	"	7 8	"
	" Nakhla	"	65 0	"
	" Sankhla	"	60 0	"
	" yellow, superior quality	"	2 8	"
	Mother-of-pearl, nacre	"	30 0	"
	Tortoise-shell	"	7 0	"
	" nakh	"	1 0	"
	All other sorts	"	*ad valorem*	"

SCHEDULE IV.—(IMPORT TARIFF)—*concld.*

GENERAL DUTIES—*concld.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—concld.		*R* *a.*	
52	SILK, AND ARTICLES MADE OF SILK—			
	Floss	℔	9 0	Five per cent.
	Piece-goods	......	*ad valorem*	"
	Raw silk—			
	Chahâram, Cochin-China, and yellow Shanghai	"	5 4	"
	Mathow	"	3 4	"
	Other kinds of China	"	7 0	"
	Waste and Kachra	"	1 2	"
	Panjam	"	2 0	"
	Persian	"	4 4	"
	Siam	"	2 0	"
	Produced from the tasar or other wild worm	"	2 8	"
	Sewing thread, China	"	9 0	"
	All other sorts	......	*ad valorem*	"
53	SOAP	......	"	"
54	STATIONERY, excluding paper (for which see No. 45)	......	"	"
55	STONE AND MARBLE	......	"	"
56	TALLOW AND GREASE	cwt.	25 0	"
57	TOILET REQUISITES not otherwise described	......	*ad valorem*	"
58	TOYS and requisites for all games	......	"	"
59	UMBRELLAS, COTTON, under 20 inches	each	0 10	"
	" " 20 inches and upwards	"	1 0	"
	" " oiled, other than European	"	0 9	"
	" " all other sorts, including paper kettisals	......	*ad valorem*	"
60	WAX	cwt.	32 0	"
61	WOOD AND TIMBER, except railway sleepers and firewood, which are free	......	*ad valorem*	"
62	WOOLLEN GOODS— Braid Hosiery Piece-goods All other sorts	......	"	"

SCHEDULE V.—(EXPORT TARIFF.)

Name of Article.	Rate of duty.
RICE, WHETHER HUSKED OR UNHUSKED, INCLUDING RICE-FLOUR.	Three annas per Indian maund of 82⅔ ℔ avoirdupois weight.

S. HARVEY JAMES,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend the law relating to Customs duties, and for other purposes, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th March, 1894:—

WE, the undersigned, Members of the Select Committee to which the Bill to amend the law relating to Customs-duties, and for other purposes, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report, with the Bill, as amended by us, annexed thereto.

From Honorary Secretaries, Bombay Presidency Association, dated 3rd March, 1894, and enclosure [Papers No. 1].

From Messrs. Birkmyre Brothers, dated 6th March, 1894 [Paper No. 2].

Telegrams from Chamber of Commerce, Madras, dated 6th March, 1894; from Bombay Trades Association, dated 6th March, 1894; from Millowners' Association, Bombay, dated 6th March, 1894; from Madras Trades Association, dated 6th March, 1894; from Chamber of Commerce, Bombay, dated 6th March, 1894; from Chamber of Commerce, Karachi, dated 6th March, 1894; from Chamber of Commerce, Rangoon, dated 6th March, 1894; from Poona Sarvajanik Sabha, dated 7th March, 1894 [Papers No. 3].

From Messrs. W. H. Harton & Co., dated 7th March, 1894 [Paper No. 4].

From Secretary, Calcutta Trades Association, dated 7th March, 1894, and enclosure [Papers No. 5].

From the Manager, New Egerton Woollen Mills Company, Ld., dated 6th March, 1894 [Paper No. 6].

Telegram from Messrs. Best & Co., Madras, dated 7th March, 1894 [Paper No. 7].

2. In the eleven sections of the Bill we have proposed no substantive alteration except in section 5, sub-section (*1*), clause (*a*), which we have made applicable to Foreign European Settlements in India generally.

3. *Schedules.*—We have proposed several alterations in the schedules. Those in Schedule I call for no remark.

4. *Schedule II—Arms, Ammunition and Military Stores.*—We have varied Exception II with reference to exemptions now in force in pursuance of remissive orders of the Governor General in Council.

5. *Schedule III, Article 1, Wine.*—Following English laws, we have reduced from forty-five to forty-two per cent. the percentage of proof spirit in wines which is to regulate the rate of duty to be levied on them.

6. *Schedule III, Article 4, Salted Fish.*—We have removed the word "ngapi" as superfluous.

7. *Schedule IV, Article 5, Sugar.*—We have re-classified "sugar," leaving duty to be levied *ad valorem* on all kinds which are not China candy, loaf or crystallised beet. We have added crystallised beet with a tariff valuation of Rs. 14 per cwt.

8. *Schedule IV, Article 10, Agricultural Implements.*—We have removed this article from separate enumeration in the schedule.

9. *Schedule IV, Article 12 (now 11), Metals.*—We have proposed to reduce from five to one per cent. the duty on iron and steel of all kinds.

We have also proposed to make the duty on "lametta, single reels," payable *ad valorem*: and have added words expressly excluding gold bullion and coin from the list of dutiable metals.

10. *Schedule IV, Article 13 (now 12), Oils.*—We have added benzoline to the articles enumerated in the definition of petroleum, and have proposed to make the duty on batching and lubricating petroleum five per cent. *ad valorem* instead of half an anna a gallon.

11. *Schedule IV, Articles 30 (now 29) and (new) 38, Flax and Lac.*—We have proposed that there shall be an uniform duty of five per cent. *ad valorem* on all flax and articles made of flax (including linen-thread). We have also separately enumerated lac of all sorts.

12. *Schedule IV, Article 38 (now 37), Jute.*—We have proposed to remove the exception in favour of gunny-bags.

13. *Schedule IV, Article 45, Paper.*—We propose that a duty of five per centum *ad valorem* be levied on paper of all kinds.

14. *Schedule IV, Article 61, Wood and Timber.*—We have proposed to except railway sleepers and firewood and leave them free.

15. The publication ordered by the Council has been made as follows :—

In English.

Gazette.	*Date.*
Gazette of India	3rd March, 1894.
Fort St. George Gazette	6th March, 1894.
Bombay Government Gazette	6th March, 1894.
Calcutta Gazette	7th March, 1894.
Burma Gazette	8th March, 1894.

Publication in the remaining local Gazettes has been ordered, but dates of publication have not yet been reported, and they will be later than the date of this Report.

16. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

J. WESTLAND.

ALEX. EDW. MILLER.

C. B. PRITCHARD.

H. F. CLOGSTOUN.

FAZULBHOY VISRAM.

P. PLAYFAIR.

The 9th March, 1894.

We accept this Report as far as it goes, but we desire to dissent in so far as it does not include our recommendation for the imposition of customs-duties on cotton fabrics, yarns and thread.

FAZULBHOY VISRAM.

P. PLAYFAIR.

S. HARVEY JAMES,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 5, 1894.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 22nd March, 1894, and is hereby promulgated for general information :—

ACT No. IX OF 1894.

THE PRISONS ACT, 1894.

CONTENTS.

The Prisons Act, 1894.

(Chapter I.—Preliminary—Sections 1-3. Chapter II.—Maintenance and Officers of Prisons.—Sections 4-7.)

An Act to amend the law relating to Prisons.

WHEREAS it is expedient to amend the law relating to prisons in British India, and to provide rules for the regulation of such prisons; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (*1*) This Act may be called the Prisons Act, 1894.

(*2*) It extends to the whole of British India, inclusive of Upper Burma, British Baluchistan, the Santal Parganas, and the Pargana of Spiti; and

(*3*) It shall come into force on the first day of July, 1894.

(*4*) Nothing in this Act shall apply to civil jails in the Presidency of Bombay outside the city of Bombay, and those jails shall continue to be administered under the provisions of sections 9 to 16 (both inclusive) of Bombay Act II of 1874, as amended by subsequent enactments.

Repeal.

2. (*1*) On and after the said first day of July, 1894, the enactments mentioned in the schedule shall be repealed to the extent specified in the fourth column thereof.

(*2*) But all rules and appointments made, directions given and orders issued under any of those enactments shall, so far as they are consistent with this Act, be deemed to have been respectively made, given and issued under this Act.

(*3*) Any enactment or document referring to any of those enactments shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof.

Definitions.

3. In this Act—

(*1*) "prison" means any jail or place used permanently or temporarily under the general or special orders of a Local Government for the detention of prisoners, and includes all lands and buildings appurtenant thereto, but does not include—

(*a*) any place for the confinement of prisoners who are exclusively in the custody of the police;

(*b*) any place specially appointed by the Local Government under section 541 of the Code of Criminal Procedure, 1882; or

(*c*) any place which has been declared by the Local Government, by general or special order, to be a subsidiary jail;

(*2*) "criminal prisoner" means any prisoner duly committed to custody under the writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a Court-martial:

(*3*) "convicted criminal prisoner" means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in prison under the provisions of Chapter VIII of the Code of Criminal Procedure, 1882, or under the Prisoners Act, 1871: X of 1882. V of 1871.

(*4*) "civil prisoner" means any prisoner who is not a criminal prisoner:

(*5*) "remission system" means the rules for the time being in force regulating the award of marks to, and the consequent shortening of sentences of, prisoners in jails:

(*6*) "history-ticket" means the ticket exhibiting such information as is required in respect of each prisoner by this Act or the rules thereunder:

(*7*) "Inspector General" means the Inspector General of Prisons:

(*8*) "Medical Subordinate" means an Assistant Surgeon, Apothecary or qualified Hospital Assistant: and

(*9*) "prohibited article" means an article the introduction or removal of which into or out of a prison is prohibited by any rule under this Act.

CHAPTER II.

MAINTENANCE AND OFFICERS OF PRISONS.

Accommodation for prisoners.

4. The Local Government shall provide, for the prisoners in the territories under such Government, accommodation in prisons constructed and regulated in such manner as to comply with the requisitions of this Act in respect of the separation of prisoners.

Inspector General.

5. An Inspector General shall be appointed for the territories subject to each Local Government, and shall exercise, subject to the orders of the Local Government, the general control and superintendence of all prisons situated in the territories under such Government.

Officers of prisons.

6. For every prison there shall be a Superintendent, a Medical Officer (who may also be the Superintendent), a Medical Subordinate, a Jailer and such other officers as the Local Government thinks necessary:

Provided that the Governor of Bombay in Council may, with the previous sanction of the Governor General in Council, declare by order in writing that in any prison specified in the order the office of Jailer shall be held by the person appointed to be Superintendent.

Temporary accommodation for prisoners.

7. Whenever it appears to the Inspector General that the number of prisoners in any prison is greater than can conveniently or safely be

The Prisons Act, 1894.

(Chapter III.—Duties of Officers.—Sections 8-16.)

kept therein, and it is not convenient to transfer the excess number to some other prison,

or whenever from the outbreak of epidemic disease within any prison, or for any other reason, it is desirable to provide for the temporary shelter and safe custody of any prisoners,

provision shall be made, by such officer and in such manner as the Local Government may direct, for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison.

CHAPTER III.

DUTIES OF OFFICERS.

Generally.

Control, and duties of officers of prisons.

8. All officers of a prison shall obey the directions of the Superintendent; all officers subordinate to the Jailer shall perform such duties as may be imposed on them by the Jailer with the sanction of the Superintendent or be prescribed by rules under section 60.

Officers not to have business dealings with prisoners.

9. No officer of a prison shall sell or let, nor shall any person in trust for or employed by him sell or let, or derive any benefit from selling or letting, any article to any prisoner or have any money or other business dealings directly or indirectly with any prisoner.

Officers not to be interested in prison-contracts.

10. No officer of a prison shall, nor shall any person in trust for or employed by him, have any interest, direct or indirect, in any contract for the supply of the prison: nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any article on behalf of the prison or belonging to a prisoner.

Superintendent.

Superintendent.

11. (1) Subject to the orders of the Inspector General, the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control.

(2) Subject to such general or special directions as may be given by the Local Government, the Superintendent of a prison other than a central prison or a prison situated in a presidency-town shall obey all orders not inconsistent with this Act or any rule thereunder which may be given respecting the prison by the District Magistrate, and shall report to the Inspector General all such orders and the action taken thereon.

Records to be kept by Superintendent.

12. The Superintendent shall keep, or cause to be kept, the following records :—

(1) a register of prisoners admitted ;

(2) a book showing when each prisoner is to be released ;

(3) a punishment-book for the entry of the punishments inflicted on prisoners for prison-offences ;

(4) a visitors' book for the entry of any observations made by the visitors touching any matters connected with the administration of the prison ;

(5) a record of the money and other articles taken from prisoners ;

and all such other records as may be prescribed by rules under section 59 or section 60.

Medical Officer.

Duties of Medical Officer.

13. Subject to the control of the Superintendent, the Medical Officer shall have charge of the sanitary administration of the prison, and shall perform such duties as may be prescribed by rules made by the Local Government under section 60.

Medical Officer to report in certain cases.

14. Whenever the Medical Officer has reason to believe that the mind of a prisoner is, or is likely to be, injuriously affected by the discipline or treatment to which he is subjected, the Medical Officer shall report the case in writing to the Superintendent, together with such observations as he may think proper.

This report, with the orders of the Superintendent thereon, shall forthwith be sent to the Inspector General for information.

Report on death of prisoner.

15. On the death of any prisoner, the Medical Officer shall forthwith record in a register the following particulars, so far as they can be ascertained, namely:—

(1) the day on which the deceased first complained of illness or was observed to be ill,

(2) the labour, if any, on which he was engaged on that day,

(3) the scale of his diet on that day,

(4) the day on which he was admitted to hospital,

(5) the day on which the Medical Officer was first informed of the illness,

(6) the nature of the disease,

(7) when the deceased was last seen before his death by the Medical Officer or Medical Subordinate,

(8) when the prisoner died, and

(9) (in cases where a post-mortem examination is made) an account of the appearances after death,

together with any special remarks that appear to the Medical Officer to be required.

Jailer.

Jailer.

16. (1) The Jailer shall reside in the prison, unless the Superintendent permits him in writing to reside elsewhere.

The Prisons Act, 1894.

(Chapter III.—Duties of Officers.—Sections 17-23. Chapter IV.—Admission, Removal and Discharge of Prisoners.—Sections 24-26.) Chapter V.—Discipline of Prisoners.—Section 27.)

(2) The Jailer shall not, without the Inspector-General's sanction in writing, be concerned in any other employment.

Jailer to give notice of death of prisoner.

17. Upon the death of a prisoner, the Jailer shall give immediate notice thereof to the Superintendent and the Medical Subordinate.

Responsibility of Jailer.

18. The Jailer shall be responsible for the safe custody of the records to be kept under section 12, for the commitment warrants and all other documents confided to his care, and for the money and other articles taken from prisoners.

Jailer to be present at night.

19. The Jailer shall not be absent from the prison for a night without permission in writing from the Superintendent; but, if absent without leave for a night from unavoidable necessity, he shall immediately report the fact and the cause of it to the Superintendent.

Powers of Deputy and Assistant Jailers.

20. Where a Deputy Jailer or Assistant Jailer is appointed to a prison, he shall, subject to the orders of the Superintendent, be competent to perform any of the duties, and be subject to all the responsibilities, of a Jailer under this Act or any rule thereunder.

Subordinate Officers.

Duties of gate-keeper.

21. The officer acting as gate-keeper, or any other officer of the prison, may examine anything carried in or out of the prison, and may stop and search or caused to be searched any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and, if any such article or property be found, shall give immediate notice thereof to the Jailer.

Subordinate officers not to be absent without leave.

22. Officers subordinate to the Jailer shall not be absent from the prison without leave from the Superintendent or from the Jailer.

Convict officers.

23. Prisoners who have been appointed as officers of prisons shall be deemed to be public servants within the meaning of the Indian Penal Code.

CHAPTER IV.

ADMISSION, REMOVAL AND DISCHARGE OF PRISONERS.

Prisoners to be examined on admission.

24. (1) Whenever a prisoner is admitted into prison, he shall be searched, and all weapons and prohibited articles shall be taken from him.

(2) Every criminal prisoner shall also, as soon as possible after admission, be examined under the general or special orders of the Medical Officer, who shall enter or cause to be entered in a book, to be kept by the Jailer, a record of the state of the prisoner's health, and of any wounds or marks on his person, the class of labour he is fit for if sentenced to rigorous imprisonment, and any observations which the Medical Officer thinks fit to add.

(3) In the case of female prisoners the search and examination shall be carried out by the matron under the general or special orders of the Medical Officer.

Effects of prisoners.

25. All money or other articles in respect whereof no order of a competent Court has been made, and which may with proper authority be brought into the prison by any criminal prisoner or sent to the prison for his use, shall be placed in the custody of the Jailer.

Removal and discharge of prisoners.

26. (1) All prisoners, previously to being removed to any other prison, shall be examined by the Medical Officer.

(2) No prisoner shall be removed from one prison to another unless the Medical Officer certifies that the prisoner is free from any illness rendering him unfit for removal.

(3) No prisoner shall be discharged against his will from prison, if labouring under any acute or dangerous distemper, nor until, in the opinion of the Medical Officer, such discharge is safe.

CHAPTER V.

DISCIPLINE OF PRISONERS.

Separation of prisoners.

27. The requisitions of this Act with respect to the separation of prisoners are as follows :—

(1) in a prison containing female as well as male prisoners the females shall be imprisoned in separate buildings, or separate parts of the same building, in such manner as to prevent their seeing, or conversing or holding any intercourse with, the male prisoners ;

(2) in a prison where male prisoners under the age of eighteen are confined, means shall be provided for separating them altogether from the other prisoners and for separating those of them who have arrived at the age of puberty from those who have not ;

(3) unconvicted criminal prisoners shall be kept apart from convicted criminal prisoners ; and

(4) civil prisoners shall be kept apart from criminal prisoners.

The Prisons Act, 1894.

(Chapter V.—Discipline of Prisoners—Sections 28-30. Chapter VI.—Food, Clothing and Bedding of Civil and Unconvicted Criminal Prisoners.—Sections 31-33. Chapter VII.—Employment of Prisoners.—Sections 34-36.)

Association and segregation of prisoners.

28. Subject to the requirements of the last foregoing section, convicted criminal prisoners may be confined either in association or individually in cells or partly in one way and partly in the other.

Solitary confinement.

29. No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison, and every prisoner so confined in a cell for more than twenty-four hours, whether as a punishment or otherwise, shall be visited at least once a day by the Medical Officer or Medical Subordinate.

Prisoners under sentence of death.

30. (*1*) Every prisoner under sentence of death shall, immediately on his arrival in the prison after sentence, be searched by, or by order of, the Jailer, and all articles shall be taken from him which the Jailer deems it dangerous or inexpedient to leave in his possession.

(*2*) Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard.

CHAPTER VI.

FOOD, CLOTHING AND BEDDING OF CIVIL AND UNCONVICTED CRIMINAL PRISONERS.

Maintenance of certain prisoners from private sources.

31. A civil prisoner or an unconvicted criminal prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, food, clothing, bedding or other necessaries, but subject to examination and to such rules as may be approved by the Inspector General.

Restriction on transfer of food and clothing between certain prisoners.

32. No part of any food, clothing, bedding or other necessaries belonging to any civil or unconvicted criminal prisoner shall be given, hired or sold to any other prisoner; and any prisoner transgressing the provisions of this section shall lose the privilege of purchasing food or receiving it from private sources, for such time as the Superintendent thinks proper.

Supply of clothing and bedding to civil and unconvicted criminal prisoners.

33. (*1*) Every civil prisoner and unconvicted criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and bedding as may be necessary.

(*2*) When any civil prisoner has been committed to prison in execution of a decree in favour of a private person, such person, or his representative, shall, within forty-eight hours after the receipt by him of a demand in writing, pay to the Superintendent the cost of the clothing and bedding so supplied to the prisoner; and in default of such payment the prisoner may be released.

CHAPTER VII.

EMPLOYMENT OF PRISONERS.

Employments of civil prisoners.

34. (*1*) Civil prisoners may, with the Superintendent's permission, work and follow any trade or profession.

(*2*) Civil prisoners finding their own implements, and not maintained at the expense of the prison, shall be allowed to receive the whole of their earnings; but the earnings of such as are furnished with implements or are maintained at the expense of the prison shall be subject to a deduction, to be determined by the Superintendent, for the use of implements and the cost of maintenance.

Employment of criminal prisoners.

35. (*1*) No criminal prisoner sentenced to labour or employed on labour at his own desire shall, except on an emergency with the sanction in writing of the Superintendent, be kept to labour for more than nine hours in any one day.

(*2*) The Medical Officer shall from time to time examine the labouring prisoners while they are employed, and shall at least once in every fortnight cause to be recorded upon the history-ticket of each prisoner employed on labour the weight of such prisoner at the time.

(*3*) When the Medical Officer is of opinion that the health of any prisoner suffers from employment on any kind or class of labour, such prisoner shall not be employed on that labour but shall be placed on such other kind or class of labour as the Medical Officer may consider suited for him.

Employment of criminal prisoners sentenced to simple imprisonment.

36. Provision shall be made by the Superintendent for the employment (as long as they so desire) of all criminal prisoners sentenced to simple imprisonment; but no prisoner not sentenced to rigorous imprisonment shall be punished for neglect of work excepting by such alteration in the scale of diet as may be established by the rules of the prison in the case of neglect of work by such a prisoner.

The Prisons Act, 1894.

(Chapter VIII.—Health of Prisoners.—Sections 37-39. Chapter IX.—Visits to Prisoners.—Sections 40-41. Chapter X.—Offences in relation to Prisons.—Sections 42-44.)

CHAPTER VIII.

HEALTH OF PRISONERS.

Sick prisoners.

37. (*1*) The names of prisoners desiring to see the Medical Subordinate or appearing out of health in mind or body shall, without delay, be reported by the officer in immediate charge of such prisoners to the Jailer.

(*2*) The Jailer shall, without delay, call the attention of the Medical Subordinate to any prisoner desiring to see him, or who is ill, or whose state of mind or body appears to require attention, and shall carry into effect all written directions given by the Medical Officer or Medical Subordinate respecting alterations of the discipline or treatment of any such prisoner.

Record of directions of Medical Officers.

38. All directions given by the Medical Officer or Medical Subordinate in relation to any prisoner, with the exception of orders for the supply of medicines or directions relating to such matters as are carried into effect by the Medical Officer himself or under his superintendence, shall be entered day by day in the prisoner's history-ticket or in such other record as the Local Government may by rule direct, and the Jailer shall make an entry in its proper place stating in respect of each direction the fact of its having been or not having been complied with, accompanied by such observations, if any, as the Jailer thinks fit to make, and the date of the entry.

Hospital.

39. In every prison a hospital or proper place for the reception of sick prisoners shall be provided.

CHAPTER IX.

VISITS TO PRISONERS.

Visits to civil and unconvicted criminal prisoners.

40. Due provision shall be made for the admission, at proper times and under proper restrictions, into every prison of persons with whom civil or unconvicted criminal prisoners may desire to communicate, care being taken that, so far as may be consistent with the interests of justice, prisoners under trial may see their duly qualified legal advisers without the presence of any other person.

Search of visitors.

41. (*1*) The Jailer may demand the name and address of any visitor to a prisoner, and, when the Jailer has any ground for suspicion, may search any visitor, or cause him to be searched, but the search shall not be made in the presence of any prisoner or of another visitor.

(*2*) In case of any such visitor refusing to permit himself to be searched, the Jailer may deny him admission; and the grounds of such proceeding, with the particulars thereof, shall be entered in such record as the Local Government may direct.

CHAPTER X.

OFFENCES IN RELATION TO PRISONS.

Penalty for introduction or removal of prohibited articles into or from prison and communication with prisoners.

42. Whoever, contrary to any rule under section 60, introduces or removes, or attempts by any means whatever to introduce or remove, into or from any prison, or supplies or attempts to supply to any prisoner outside the limits of a prison, any prohibited article,

and every officer of a prison who, contrary to any such rule, knowingly suffers any such article to be introduced into or removed from any prison, to be possessed by any prisoner, or to be supplied to any prisoner outside the limits of a prison,

and whoever, contrary to any such rule, communicates or attempts to communicate with any prisoner,

and whoever abets any offence made punishable by this section,

shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding six months, or to fine not exceeding two hundred rupees, or to both.

Power to arrest for offence under section 42.

43. When any person, in the presence of any officer of a prison, commits any offence specified in the last foregoing section, and refuses on demand of such officer to state his name and residence, or gives a name or residence which such officer knows, or has reason to believe, to be false, such officer may arrest him, and shall without unnecessary delay make him over to a Police-officer, and thereupon such Police-officer shall proceed as if the offence had been committed in his presence.

Publication of penalties.

44. The Superintendent shall cause to be affixed, in a conspicuous place outside the prison, a notice in English and the Vernacular setting forth the acts prohibited under section 42 and the penalties incurred by their commission.

The Prisons Act, 1894.

(Chapter XI.—Prison-offences.—Sections 45-46.)

CHAPTER XI.

PRISON-OFFENCES.

Prison-offences.

45. The following acts are declared to be prison-offences when committed by a prisoner:—

(*1*) such wilful disobedience to any regulation of the prison as shall have been declared by rules made under section 59 to be a prison-offence;

(*2*) any assault or use of criminal force;

(*3*) the use of insulting or threatening language;

(*4*) immoral or indecent or disorderly behaviour;

(*5*) wilfully disabling himself from labour;

(*6*) contumaciously refusing to work;

(*7*) filing, cutting, altering or removing handcuffs, fetters or bars without due authority;

(*8*) wilful idleness or negligence at work by any prisoner sentenced to rigorous imprisonment;

(*9*) wilful mismanagement of work by any prisoner sentenced to rigorous imprisonment;

(*10*) wilful damage to prison-property;

(*11*) tampering with or defacing history-tickets, records or documents;

(*12*) receiving, possessing or transferring any prohibited article;

(*13*) feigning illness;

(*14*) wilfully bringing a false accusation against any officer or prisoner;

(*15*) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape, and any attack or preparation for attack upon any prisoner or prison-official; and

(*16*) conspiring to escape, or to assist in escaping, or to commit any other of the offences aforesaid.

Punishment of such offences.

46. The Superintendent may examine any person touching any such offence, and determine thereupon, and punish such offence by—

(*1*) a formal warning:

Explanation.—A formal warning shall mean a warning personally addressed to a prisoner by the Superintendent and recorded in the punishment-book and on the prisoner's history-ticket;

(*2*) change of labour to some more irksome or severe form;

(*3*) hard labour for a period not exceeding seven days in the case of convicted criminal prisoners not sentenced to rigorous imprisonment;

(*4*) such loss of privileges admissible under the remission system for the time being in force as may be prescribed by rules made by the Governor General in Council;

(*5*) the substitution of gunny or other coarse fabric for clothing of other material, not being woollen, for a period which shall not exceed three months;

(*6*) imposition of handcuffs of such pattern and weight, in such manner and for such period, as may be prescribed by rules made by the Governor General in Council;

(*7*) imposition of fetters of such pattern and weight, in such manner and for such period, as may be prescribed by rules made by the Governor General in Council;

(*8*) separate confinement for any period not exceeding six months:

Explanation.—Separate confinement means such confinement with or without labour as secludes a prisoner from communication with, but not from sight of, other prisoners, and allows him not less than one hour's exercise per diem and to have his meals in association with one or more other prisoners;

(*9*) penal diet, that is, restriction of diet in such manner and subject to such conditions regarding labour as may be prescribed by the Local Government:

Provided that such restriction of diet shall in no case be applied to a prisoner for more than ninety-six consecutive hours, and shall not be repeated except for a fresh offence nor until after an interval of one week;

(*10*) cellular confinement for any period not exceeding fourteen days:

Provided that after each period of cellular confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to cellular or solitary confinement:

EXPLANATION.—Cellular confinement means such confinement with or

The Prisons Act, 1894.

(*Chapter XI.—Prison-offences.—Sections 47-51.*)

without labour as entirely secludes a prisoner from communication with, but not from sight of, other prisoners :

(*11*) solitary confinement for any period not exceeding seven days :

Provided that after each period of solitary confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to solitary or cellular confinement :

EXPLANATION.—Solitary confinement means such confinement with or without labour as entirely secludes the prisoner both from sight of, and communication with, other prisoners ;

(*12*) penal diet as defined in clause (*9*) combined with solitary confinement as defined in clause (*11*) ;

(*13*) whipping, provided that the number of stripes shall not exceed thirty :

Provided that nothing in this section shall render any female or civil prisoner liable to the imposition of any form of handcuffs or fetters, or to whipping.

Plurality of punishments under section 46.

47. Any two of the punishments enumerated in the last foregoing section may be awarded for any such offence in combination, subject to the following exceptions, namely :—

(*1*) formal warning shall not be combined with any other punishment except loss of privileges under clause (*4*) of that section ;

(*2*) penal diet shall not be combined with change of labour under clause (*2*) of that section, nor shall any additional period of penal diet awarded singly be combined with any period of penal diet awarded in combination with solitary confinement ;

(*3*) solitary confinement shall not be combined with cellular confinement or with separate confinement, nor cellular confinement with separate confinement, so as to prolong the total period of seclusion to which the prisoner shall be liable ;

(*4*) whipping shall not be combined with any other form of punishment except cellular or separate confinement and loss of privileges admissible under the remission system.

Award of punishments under sections 46 and 47.

48. (*1*) The Superintendent shall have power to award any of the punishments enumerated in the two last foregoing sections, subject, in the case of separate confinement for a period exceeding one month, to the previous confirmation of the Inspector General.

(*2*) No officer subordinate to the Superintendent shall have power to award any punishment whatever.

Punishments to be in accordance with foregoing sections.

49. Except by order of a Court of Justice, no punishment other than the punishments specified in the foregoing sections shall be inflicted on any prisoner, and no punishment shall be inflicted on any prisoner otherwise than in accordance with the provisions of those sections.

Medical Officer to certify to fitness of prisoner for punishment.

50. (*1*) No punishment of penal diet, either singly or in combination, or of whipping, or of change of labour under section 46, clause (*2*), shall be executed until the prisoner to whom such punishment has been awarded has been examined by the Medical Officer, who, if he considers the prisoner fit to undergo the punishment, shall certify accordingly in the appropriate column of the punishment-book prescribed in section 12.

(*2*) If he considers the prisoner unfit to undergo the punishment, he shall in like manner record his opinion in writing and shall state whether the prisoner is absolutely unfit for punishment of the kind awarded, or whether he considers any modification necessary.

(*3*) In the latter case he shall state what extent of punishment he thinks the prisoner can undergo without injury to his health.

Entries in punishment-book.

51. (*1*) In the punishment-book prescribed in section 12 there shall be recorded, in respect of every punishment inflicted, the prisoner's name, register number and the class (whether habitual or not) to which he belongs, the prison-offence of which he was guilty, the date on which such prison-offence was committed, the number of previous prison-offences recorded against the prisoner, and the date of his last prison-offence, the punishment awarded, and the date of infliction.

(*2*) In the case of every serious prison-offence, the names of the witnesses proving the offence shall be recorded, and, in the case of offences for which whipping is awarded, the Superintendent shall record the substance of the evidence of the witnesses, the defence of the prisoner, and the finding with the reasons therefor.

(*3*) Against the entries relating to each punishment the Jailer and Superintendent shall affix their initials as evidence of the correctness of the entries.

The Prisons Act, 1894.

(Chapter XI.—Prison-offences.—Sections 52-54. Chapter XII.—Miscellaneous—Sections 55-59.)

Procedure on committal of heinous offence.

52. If any prisoner is guilty of any offence against prison-discipline which, by reason of his having frequently committed such offences or otherwise, in the opinion of the Superintendent, is not adequately punishable by the infliction of any punishment which he has power under this Act to award, the Superintendent may forward such prisoner to the Court of the District Magistrate or of any Magistrate of the first class having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon inquire into and try the charge so brought against the prisoner, and, upon conviction, may sentence him to imprisonment which may extend to one year, such term to be in addition to any term for which such prisoner was undergoing imprisonment when he committed such offence, or may sentence him to any of the punishments enumerated in section 46 :

Provided that the District Magistrate may transfer the case for inquiry and trial to any Magistrate of the first class : and

Provided also that no person shall be punished twice for the same offence.

Whipping.

53. (*1*) No punishment of whipping shall be inflicted in instalments, or except in the presence of the Superintendent and Medical Officer or Medical Subordinate.

(*2*) Whipping shall be inflicted with a light ratan not less than half an inch in diameter on the buttocks, and in case of prisoners under the age of sixteen it shall be inflicted, in the way of school discipline, with a lighter ratan.

Offences by prison-subordinates.

54. (*1*) Every Jailer or officer of a prison subordinate to him who shall be guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission, or without having given previous notice in writing of his intention for the period of two months, or who shall wilfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison-duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to fine not exceeding two hundred rupees, or to imprisonment for a period not exceeding three months, or to both.

(*2*) No person shall under this section be punished twice for the same offence.

CHAPTER XII.

MISCELLANEOUS.

Extramural custody, control and employment of prisoners.

55. A prisoner, when being taken to or from any prison in which he may be lawfully confined, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison-officer belonging to such prison, shall be deemed to be in prison and shall be subject to all the same incidents as if he were actually in prison.

Confinement in irons.

56. Whenever the Superintendent considers it necessary (with reference either to the state of the prison or the character of the prisoners) for the safe custody of any prisoners that they should be confined in irons, he may, subject to such rules and instructions as may be laid down by the Inspector General with the sanction of the Local Government, so confine them.

Confinement of prisoners under sentence of transportation in irons.

57. (*1*) Prisoners under sentence of transportation may, subject to any rules made under section 60, be confined in fetters for the first three months after admission to prison.

(*2*) Should the Superintendent consider it necessary, either for the safe custody of the prisoner himself or for any other reason, that fetters should be retained on any such prisoner for more than three months, he shall apply to the Inspector General for sanction to their retention for the period for which he considers their retention necessary, and the Inspector General may sanction such retention accordingly.

Prisoners not to be ironed by Jailer except under necessity.

58. No prisoner shall be put in irons or under mechanical restraint by the Jailer of his own authority, except in case of urgent necessity, in which case notice thereof shall be forthwith given to the Superintendent.

Power to make rules.

59. The Governor General in Council may for any part of British India, and each Local Government with the previous sanction of the Governor General in Council may for the territories under its administration, make rules consistent with this Act—

(*1*) defining the acts which shall constitute prison-offences;

(*2*) determining the classification of prison-offences into serious and minor offences;

(*3*) fixing the punishments admissible under this Act which shall be awardable for commission of prison-offences or classes thereof;

The Prisons Act, 1894.

(Chapter XII.—Miscellaneous.—Sections 60-62.)

(4) declaring the circumstances in which acts constituting both a prison-offence and an offence under the Indian Penal Code may or may not be dealt with as a prison-offence;

(5) for the award of marks and the shortening of sentences;

(6) regulating the use of arms against any prisoner or body of prisoners in the case of an outbreak or attempt to escape;

(7) defining the circumstances and regulating the conditions under which prisoners in danger of death may be released;

(8) regulating the transfer from one part of British India to another of prisoners whose term of transportation or imprisonment is about to expire; and,

(9) generally, for carrying into effect the purposes of this Act.

60. *Power of Local Government to make rules.* The Local Government may, subject to the control of the Governor General in Council, make rules consistent with this Act—

(a) for the classification of prisons, and description and construction of wards, cells and other places of detention;

(b) for the regulation by numbers, length or character of sentences, or otherwise, of the prisoners to be confined in each class of prisons;

(c) for the government of prisons and for the appointment, guidance, control, punishment and dismissal of all officers appointed under this Act;

(d) as to the food, bedding and clothing of criminal prisoners and of civil prisoners maintained otherwise than at their own cost;

(e) for the employment, instruction and control of convicts within or without prisons;

(f) for defining articles the introduction or removal of which into or out of prisons without due authority is prohibited;

(g) for classifying and prescribing the forms of labour and regulating the periods of rest from labour;

(h) for regulating the disposal of the proceeds of the employment of prisoners;

(i) for regulating the confinement in fetters of prisoners sentenced to transportation;

(j) for the classification and the separation of prisoners;

(k) for regulating the confinement of convicted criminal prisoners under section 28;

(l) for the preparation and maintenance of history-tickets;

(m) for the selection and appointment of prisoners as officers of prisons;

(n) for rewards for good conduct;

(o) for regulating the transfer of prisoners whose term of transportation or imprisonment is about to expire;

(p) for the treatment, transfer and disposal of criminal lunatics or recovered criminal lunatics confined in prisons;

(q) for regulating the transmission of appeals and petitions from prisoners and their communications with their friends;

(r) for the appointment and guidance of visitors of prisons;

(s) for extending any or all of the provisions of this Act and of the rules thereunder to subsidiary jails or special places of confinement appointed under section 541 of the Code of Criminal Procedure, 1882, and to the officers employed, and the prisoners confined, therein; and,

(t) generally, in regard to the admission, custody, employment, dieting, treatment and release of prisoners, and for other purposes consistent with this Act.

61. *Exhibition of copies of rules.* Copies of rules, under sections 59 and 60 so far as they affect the government of prisons, shall be exhibited, both in English and in the Vernacular, in some place to which all persons employed within a prison have access.

62. *Exercise of powers of Superintendent and Medical Officer.* All or any of the powers and duties conferred and imposed by this Act on a Superintendent or Medical Officer may in his absence be exercised and performed by such other officer as the Local Government may appoint in this behalf either by name or by his official designation.

The Prisons Act, 1894.

(The Schedule.—Enactments repealed.)

THE SCHEDULE.

ENACTMENTS REPEALED.

(See section 2.)

Year.	No.	Title or short title.	Extent of repeal.
1	2	3	4
		Acts of the Governor General in Council.	
1856	VIII	An Act for the better control of the jails within the Presidency of Bombay.	So much as has not been repealed.
1870	XXVI	Prisons Act, 1870	So much as has not been repealed.
1874	XV	Laws Local Extent Act, 1874	So much of Part (*b*) of the third schedule as relates to Act VIII of 1856.
1878	XIV	An Act to assimilate certain powers of the Local Governments of the North-Western Provinces and Oudh.	Section 2
1886	XX	Upper Burma Laws Act, 1886	So much as relates to Act XXVI of 1870.
1891	XII	Repealing and Amending Act, 1891	So much of the second schedule as relates to Acts VIII of 1856 and XXVI of 1870.
		Acts of the Governor of Fort St. George in Council.	
1869	V	Madras Jails Act, 1869	So much as has not been repealed.
1882	VII	Madras Jails Act Amendment Act, 1882	The whole.
1889	II	An Act to amend the Madras Jails Act, 1869.	The whole.
		Acts of the Governor of Bombay in Council.	
1874	II	An Act for the regulation of Jails in the City and Presidency of Bombay, and the enforcement of discipline therein.	So much as has not been repealed, except sections 9 to 16 (both inclusive) as amended by Bombay Act II of 1882.
1882	II	An Act to amend Bombay Act II of 1874	Section 3.
1883	IV	An Act to amend the Law concerning the confinement of civil prisoners liable to imprisonment under the Criminal Procedure Code.	The whole.
1887	I	An Act to further amend Bombay Act II of 1874.	The whole.
		Acts of the Lieutenant-Governor of Bengal in Council.	
1864	II	An Act for the regulation of Jails and the enforcement of discipline therein.	So much as has not been repealed.
1865	V	An Act to amend Act II of 1864, passed by the Lieutenant-Governor of Bengal in Council, and to extend the provisions thereof to the Presidency Jail.	So much as has not been repealed.

The Prisons Act, 1894.

(The Schedule.—Enactments repealed.)

THE SCHEDULE.—ENACTMENTS REPEALED—*contd.*

Year.	No.	Title or short title.	Extent of repeal.
1	2	3	4
Regulations made under the Statute 33 Victoria, Chapter 3.			
1872 .	III . .	Santhal Parganas Settlement Regulation .	So much of the schedule (as amended by Regulation III of 1886) as relates to Bengal Acts II of 1864 and V of 1865.
1874 .	IX . .	Arakan Hill District Laws Regulation, 1874 .	So much as relates to Act XXVI of 1870.
1875 .	II . .	Assam Prisons Regulation, 1875 . . .	The whole.
1890 .	I . .	British Baluchistan Laws Regulation, 1890 .	So much as relates to Act XXVI of 1870.

S. HARVEY JAMES,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, APRIL 12, 1894.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 29th March, 1894, and is hereby promulgated for general information :—

ACT NO. X OF 1894.

An Act to amend the Code of Criminal Procedure, 1882.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1882; It is hereby enacted as follows :—

Amendment of section 44, Act X, 1882.

1. In section 44 of the said Code the figures "143, 144, 145, 147, 148," shall be inserted between the figures "130" and the figures "302".

Amendment of section 45, Act X, 1882, and addition of a section thereafter.

2. (*1*) For the part of section 45 of the said Code beginning with the words "Every village-headman" and ending with the words "under suspicious circumstances" the following shall be substituted, namely :—

Village-headmen, accountants, land-holders and others bound to report certain matters.

"45. Every village-headman, village-accountant, village-watchman, village-police-officer, owner or occupier of land, and the agent of any such owner or occupier, and every officer employed in the collection of revenue or rent of land on the part of Government or the Court of Wards, shall forthwith communicate to the nearest Magistrate or to the officer in charge of the nearest police-station, whichever is the nearer, any information which he may obtain respecting—

(*a*) the permanent or temporary residence of any notorious receiver or vendor of stolen property in any village of which he is headman, accountant, watchman or police-officer, or in which he owns or occupies land, or is agent, or collects revenue or rent;

(*b*) the resort to any place within, or the passage through, such village, of any person whom he knows, or reasonably suspects, to be a thug, robber, escaped convict or proclaimed offender ;

(*c*) the commission of, or intention to commit, in or near such village any non-bailable offence or any offence punishable under section 143, 144, 145, 147 or 148 of the Indian Penal Code ; XLV

(*d*) the occurrence in or near such village of any sudden or unnatural death or of any death under suspicious circumstances ;"

(*2*) In the same section, after clause (*e*), added by section 2 of Act III of 1894, the following shall be inserted, namely :—

"(*f*) any matter likely to affect the maintenance of order or the prevention of crime or the safety of person or property respecting which the District Magistrate, by general or special order made with the previous sanction of the Local Government, has directed him to communicate information."

(*3*) After the same section the following section shall be added, namely:—

Appointment of village-headmen by District Magistrate in certain cases for purposes of section 45.

"45A. Subject to rules in this behalf to be made by the Local Government, the District Magistrate may from time to time appoint one or more persons to be village-headmen for the purposes of the last foregoing section in any village for which there is no such headman appointed under any other law."

S. HARVEY JAMES,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 18, 1894.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1894, and is hereby promulgated for general information :

ACT No. XII OF 1894.

THE INDIAN ARTICLES OF WAR AMENDMENT ACT, 1894.

CONTENTS.

The Indian Articles of War Amendment Act, 1894.

(*Sections 1-4.*)

An Act to amend the Articles of War for the government of Her Majesty's Indian Forces.

WHEREAS it is expedient to amend the Articles of War for the government of Her Majesty's Indian Forces; It is hereby enacted as follows:

Title and commencement.

1. (*1*) This Act may be called the Indian Articles of War Amendment Act, 1894; and

(*2*) It shall come into force on such date as the Governor General in Council may by notification in the Gazette of India fix in that behalf.

Repeal of clause (*c*) of Part I of Indian Articles of War.

2. Part I, clause (*c*), of the Indian Articles of War (hereinafter called "the said Articles"), is hereby repealed.

Substitution of new clause for clause (*d*) of Part I.

3. For Part I, clause (*d*), of the said Articles the following shall be substituted, namely:

"(*d*).—*Application of Articles.*

"These Articles shall apply to all—

(*a*) persons to whom they actually apply at present;

(*b*) persons commissioned or gazetted as

(*c*) medical subordinates;

(*d*) persons attested under these Articles;

(*e*) unattested recruits;

(*f*) persons enrolled under these Articles;

(*g*) persons, not otherwise subject to military law, who, on active service, in camp, on the march, or at any frontier post specified by the Governor General in Council by notification in this behalf, are employed by, or are in the service of, or are followers of, or accompany any portion of, Her Majesty's Indian Forces:

Provided as follows:

if any person claims to belong to a class to which the Army Act is, and these Articles are not, applicable, the burden of proving that he belongs to that class shall lie upon him."

Substitution of new clause for clause (*e*) of Part I.

4. For Part I, clause (*e*), of the said Articles the following shall be substituted, namely:

"(*e*).—*Definitions.*

"In these Articles, unless there is something repugnant in the subject or context,—

(*1*) 'notification' means a notification published in the official Gazette:

(*2*) 'prescribed' means prescribed by rules made by the Governor General in Council or by any authority empowered by him in this behalf:

(*3*) 'British officer' means an officer holding a commission in Her Majesty's land forces, but does not include an honorary commissioned officer:

(*4*) 'Native officer' means an officer commissioned or gazetted as an officer holding a Native rank in Her Majesty's Indian Forces:

(*5*) 'officer' means a British officer or Native officer, but does not include a warrant officer or non-commissioned officer:

(*6*) 'medical subordinate' means a senior hospital assistant, a hospital assistant of the first, second or third class, and a sub-hospital assistant, but does not include an officer:

(*7*) 'superior officer,' when used in relation to a person subject to these Articles, includes a warrant officer, a non-commissioned officer and an acting non-commissioned officer:

(*8*) 'soldier' includes a non-commissioned officer and any armed person doing duty in the ranks of Her Majesty's Indian Forces:

(*9*) 'recruit' means a person enlisted for enrolment in any corps or department as a soldier:

(*10*) 'corps' means a unit of command, such as a regiment of cavalry, a regiment or battalion of infantry, a battery of artillery, and any other separate body of troops which is declared by the Governor General in Council by general or special order to be a corps for the purposes of these Articles; it also includes an army hospital corps and a transport corps:

(*11*) 'department' includes any division or branch of a department:

(*12*) 'military reward' means any gratuity or annuity for long service or good conduct; it also includes any good-conduct pay or pension and any other pecuniary reward:

The Indian Articles of War Amendment Act, 1894.

(*Sections 5-6.*)

(14) 'active service,' as applied to a person subject to these Articles, means the time during which such person is attached to or forms part of a force which is engaged in operations against an enemy, or is engaged in military operations in, or is on the line of march to, a country or place wholly or partly occupied by an enemy, or is in military occupation of any foreign country :

(15) the expression 'India' means British India, together with any territories of any Prince or Chief under the suzerainty of Her Majesty exercised through the Governor General in Council or through any Governor in Council or other officer subordinate to the Governor General in Council : and the expression 'British India' means all territories and places within Her Majesty's dominions which are for the time being governed by Her Majesty through the Governor General in Council or through any Governor in Council or other officer subordinate to the Governor General in Council :

(16) the expression 'general officer of the Command' means the general officer commanding the forces in a Command : and the expression 'Command' means one of the principal portions into which the army of India is, for the time being, divided :

(17) 'commanding officer,' when used in any provision of these Articles with reference to any separate portion of Her Majesty's forces or to any department, means the British officer whose duty it is under the Army Regulations, India, or, in the absence of any such Regulation, by the custom of the service, to discharge with respect to that portion of the forces or that department the functions of commanding officer in regard to matters of the description referred to in that provision :

(18) 'military custody' means the arrest or confinement of a person, according to the usages of the service :

(19) 'court-martial' means a court-martial held under these Articles :

(20) 'criminal court' means a court of ordinary criminal justice in British India, or established or continued elsewhere by the authority of the Governor General in Council :

(21) 'civil offence' means an offence which if committed in British India would be triable by a criminal court :

(22) "offence" means any act or omission punishable under these Articles and includes a civil offence as hereinbefore defined : and

(23) expressions occurring in the Indian Penal Code and used in these Articles and not herein otherwise defined shall have the meanings respectively assigned to them by that Code." 1860.

5. For Part I, clause (*f*), of the said Articles the following shall be substituted, namely :

Substitution of new clause for clause (f) of Part I.

"(*f*).—*Saving of certain Regulations.*

"Nothing in these Articles shall affect any regulations by which the respective offices and powers of cantonment magistrates and officers in charge of the police in cantonments are defined and controlled."

6. For Part II, Title I, of the said Articles the following shall be sub-

Substitution of new

"TITLE I.—ENROLMENT, ATTESTATION, DISMISSAL AND DISCHARGE.

"*Article 1.*—(1) The Governor General in Council may, by notification, declare what persons or classes of persons shall be enrolled only, or be both enrolled and attested, respectively.

Enrolment and attestation.

(2) A person shall be deemed to be enrolled under these Articles when his name has, with his consent, been entered in the prescribed manner on the list of a corps or department of Her Majesty's Indian Forces.

Mode of enrolment.

(3) Subject to the provisions of this article with respect to recruits, every person to be attested under these Articles shall be taken before the prescribed civil or military officer, and that officer shall read and explain to him, or cause to be read and explained to him in his presence, the questions set forth in the prescribed form of attestation, and such other matters (if any) as may be prescribed ; and, after having cautioned him that if he makes a false answer to any question set forth in the attestation form he will be liable to be punished as provided by these Articles, shall record the answer to each question, and shall, if he is satisfied that the person fully understands the questions, and that the answer has been correctly recorded opposite each question, and if he perceives no impediment, administer to the person an affirmation or oath in the prescribed form.

Mode of attestation.

(4) The form of affirmation or oath prescribed under this article shall contain a promise that the person to be attested will be faithful to Her Majesty, Her heirs and successors, and that he will serve in Her Majesty's Indian Forces and go wherever he is ordered by land or sea, and that he will obey all commands of any officer set over him, even to the peril of his life.

(5) When a recruit is reported fit for duty, an affirmation or oath in the same form shall be administered to him in the prescribed manner by the commanding officer in front of the corps or such portion thereof or such members of the department as shall be present.

(6) After administering the affirmation or oath, the officer shall authenticate the attestation paper by his signature, and the person shall then be deemed to have been attested.

(7) Subject to any rules which may be prescribed, the Commander-in-Chief in India, or the general officer of the Command, may direct that any persons to whom these Articles apply as attested persons shall, for the purposes of these Articles, be deemed to be enrolled, and that any persons to whom these Articles apply as enrolled persons shall, for the purposes of these Articles, be deemed to be attested.

Treatment of enrolment and attestation as of same effect in certain cases.

"*Article 2.*—(1) Subject to the provisions of the Army Act, the Governor General in Council may, by notification, direct that persons of any class subject to these Articles shall, for any of the purposes of these Articles, be deemed to be Native officers, warrant officers or non-commissioned officers; and, 44 & c. 5

Rank and subordination.

(2) Subject as aforesaid, any prescribed authority may issue an order giving a like direction with respect to any such person.

The Indian Articles of War Amendment Act, 1894.

(*Sections 7-11.*)

(*3*) Any notification or order issued under this article may be cancelled by the authority issuing the same; and,

(*4*) Subject as aforesaid, any person of the said classes with respect to whom no such notification or order is in force shall, so far as may be, be deemed for all the purposes of these Articles to be of a rank inferior to that of a non-commissioned officer.

(*5*) Should any question arise as to the rank of any other person subject to these Articles, or as to whether any such person is above or below a specified rank, the decision of the Governor General in Council thereon shall be conclusive.

(*6*) Every person subject to these Articles shall, for the purposes thereof, be deemed to be under the commanding officer of the corps or department (if any) to which he is attached, and, if not attached to any corps or department, under any officer who may for the time being be named as his commanding officer by the general or other officer commanding the force with which such person may for the time being be serving, or of any other prescribed officer, or, if no such officer is named or prescribed, under the said general or other officer commanding:

Provided that a general or other officer commanding shall not place any person under an officer of official rank inferior to that of such person if there is present at the place where such person is any officer of higher rank under whom he can be placed.

Dismissal and discharge of commissioned officers.

"*Article 3.*—(*1*) Every Native officer shall be liable to dismissal from the service by the sentence of a general court-martial, and to dismissal or discharge by order of the Governor General in Council, or of the Commander-in-Chief in India, or of the general officer of the Command to which he belongs.

(*2*) A Native officer dismissed under these Articles shall forfeit all claim to pension.

Dismissal and discharge of other persons.

"*Article 4.*—(*1*) Every person subject to these Articles, other than a Native officer, shall be liable to—

(*a*) dismissal from the service by the sentence of any court-martial empowered to try him, and

(*b*) dismissal or discharge from the service, by order of the Governor General in Council, or of the Commander-in-Chief in India, or of the general officer of the Command to which he belongs, or of the officer commanding the division or district in which he is serving, or, if he belongs to a force not attached to a command, by order of the officer commanding such force.

(*2*) Every person so dismissed shall forfeit l claim to pension.

Attested person dis-ssed or discharged d re-enlisting or king false answer his attestation.

"*Article 5.*—(*1*) Every attested person of or below the rank of non-commissioned officer who has been dismissed or discharged from the service, and ho subsequently re-enters the service without the time stating the fact of his dismissal or charge, or showing his certificate of dismissal or discharge, may be dismissed the service by the officer commanding the corps or department with which he is serving; and

(*2*) Every attested person of or below the rank of non-commissioned officer who is discovered to have made a wilfully false answer to any question set forth in the attestation paper which has been put to him by, or by direction of, the officer before whom he appears for the purpose of being attested, shall, on conviction by court-martial, be liable to suffer imprisonment (with hard labour and with or without solitary confinement) or such less punishment as is in these Articles mentioned.

Certificate to person dismissed or discharged.

"*Article 6.*—Every attested person who is dismissed or discharged from the service shall be furnished by his commanding officer with a certificate, in the English language and in the mother-tongue of such person (when his mother-tongue is not English), setting forth—

(*a*) the authority dismissing or discharging him;

(*b*) the cause of his dismissal or discharge; and

(*c*) the full period of his service in the army."

Repeal of portion of article 7.

7. In article 7, sentence 1, of the said Articles, the words "in any regiment, corps, detachment or guard" are hereby repealed.

Substitution of new sentence for third sentence of same article.

8. For the third sentence of the last-mentioned article the following shall be substituted, namely:

"or who, knowing or having reason to believe in the existence of any mutiny or sedition, or of any intention to mutiny or create sedition, or of any conspiracy against the State,".

Amendment of article 8.

9. In article 8 of the said Articles, for the words "under any circumstances in which the superior officer is distinguishable as such in any manner" the words "knowing or having reason to believe him to be such" shall be substituted.

Substitution of new articles for articles 10 and 11.

10. For articles 10 and 11 of the said Articles the following shall be substituted, namely:

"*Desertion.*

"*Article 10.*—Who deserts or attempts to desert the service;—or

"*Re-enlistment without having been discharged.*

"*Article 11.*—Who, without having first obtained a regular discharge from the corps or department to which he belongs, enlists or enrols himself in any other corps or department;—or"

Amendment of article 24.

11. For the last paragraph of article 24 of the said Articles the following shall be substituted, namely:

"Whenever any person is convicted of an offence specified in article 7 and punishable with death under this article, all his property, moveable and immoveable, shall be

The Indian Articles of War Amendment Act, 1894.

(*Sections 12-23.*)

12. For articles 25 and 26 of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 25 and 26.

"*Unbecoming behaviour.*

"*Article 25.*—Any officer, medical subordinate or warrant officer who behaves in a manner unbecoming his position and character;—and any person subject to these Articles—

"*Intoxication on duty.*

"*Article 26.*—Who is in a state of intoxication when on or after having been warned for any duty, or on parade, or on the line of march;—or"

13. For article 31 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 31.

"*Failure to rejoin.*

"*Article 31.*—Who, being on leave of absence and having received information from proper authority that his corps or department has been ordered on service, fails, without sufficient cause, to rejoin without delay;—or"

14. For article 39 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 39.

"*Impeding Provost-marshal.*

"*Article 39.*—Who impedes a provost-marshal or an assistant provost-marshal, or any officer or non-commissioned officer or other person legally exercising authority under or on behalf of a provost-marshal, or, when called on, refuses to assist, in the execution of his duty, the provost-marshal, assistant provost-marshal, or any such officer, non-commissioned officer or other person;—or"

15. In article 40 of the said Articles the words "enrolled or" shall be inserted between the word "person" and the word "attested".

Amendment of article 40.

16. For article 47 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 47.

"*Making away with regimental necessaries.*

"*Article 47.*—Who—

(*a*) designedly or through neglect kills, injures, makes away with or loses his horse or ill-treats any animal used in the public service;—or

(*b*) dishonestly or fraudulently removes, conceals or delivers to any person, or designedly or through neglect injures or loses his arms, clothes, tools, musical or surgical instruments, equipments, ammunition, accoutrements or regimental necessaries, or any such articles entrusted to him or belonging to any other person;—or

(*c*) sells, pawns, destroys or defaces any medal or decoration granted to him by order of Her Majesty or of the Governor General in Council for service in the field or for general good conduct;—or"

"*Punishment for offences mentioned in articles 54, 55 and 56.*

"*Article 57.*—Shall, if convicted by a general court-martial, be sentenced to be dismissed the service and to forfeit any arrears of pay and allowances due to him at the time of dismissal, and shall be punishable also with imprisonment (with or without hard labour, and with or without solitary confinement) for a term which may extend to two years: and shall, if convicted by a district court-martial, be liable to any or all of the penalties which such court is competent to inflict."

18. In article 65 of the said Articles the word "other" shall be omitted.

Amendment of article 65.

19. For article 66 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 66.

"*Penalties for offences specified in articles 58 to 65.*

"*Article 66.*—Shall, on conviction by a general or district court-martial, be liable to any or all of the punishments, other than death or transportation, which the court-martial is competent to award."

20. In article 69 of the said Articles, for the words "such punishments as" to the end, the words "any or all of the punishments, other than death or transporation, which the court-martial is competent to award" shall be substituted.

Amendment of article 69.

21. For article 71 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 71.

"*Abetment.*

"*Article 71.*—Every person who abets, within the meaning of the Indian Penal Code, any offence punishable under these Articles may be punished with the punishment hereinbefore provided in these Articles for such offence." XLV of 1

22. For article 72 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 72.

"*Article 72.*—For the purposes of these Articles, there shall be five kinds of courts-martial, that is to say—

Courts-martial and the kinds thereof.

(1) General courts-martial.
(2) District courts-martial.
(3) Regimental courts-martial. } Hereinafter called ordinary courts-martial.
(4) Summary general courts-martial.
(5) Summary courts-martial. } Hereinafter called extra ordinary courts-martial."

23. For articles 73 and 74 of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 73 and 74.

"*Ordinary Courts-martial.*

"*Article 73.*—(*1*) The following authorities shall have power to convene general or district courts-martial, namely:

Power to convene ordinary courts-martial.

(*a*) the Commander-in-Chief in India,

The Indian Articles of War Amendment Act, 1894.

(Sections 24-31.)

India or the general officer of the Command.

(2) The power of convening general or district courts-martial may be granted under clause (1), sub-clause (c), subject to such restrictions, reservations, exceptions and conditions as the Commander-in-Chief in India or the general officer of the Command granting the power may think fit.

(3) Any warrant under this article for convening general or district courts-martial, or either of them, may be addressed to an officer by name, or by designation of his office, or partly in one way and partly in the other, and may or may not, according to the terms thereof and the mode in which it is addressed, be limited to an officer named or be extended to any person for the time being performing the duties of such officer, or to the successors in command of such officer.

Composition of general courts-martial.

"*Article 74.*—A general court-martial shall, if held in British India, consist of not less than seven officers, unless that number, due regard being had to the public service, is not available, in which case the court may consist of not less than five officers."

Repeal of articles 75, 77, 78 and 79.

24. Articles 75, 77, 78 and 79 of the said Articles are hereby repealed.

Amendment of article 76.

25. In article 76 of the said Articles, for the words "reduction to the ranks" the words "reduction to a lower grade or to the ranks" shall be substituted.

Substitution of new articles for articles 80 and 81.

26. For articles 80 and 81 of the said Articles the following shall be substituted, namely:

Composition of district court-martial.

"*Article 80.*—A district court-martial shall consist of not less than five officers, unless that number, due regard being had to the public service, is not available, in which case the court may consist of not less than three officers.

"*Article 81.*—A district court-martial may, when necessary, be composed wholly of officers of the corps or department to which the accused belongs."

Amendment of article 82.

27. In article 82 of the said Articles the words "or garrison" and the words "other than mutiny" shall be omitted.

Further amendment of same article.

28. In the last-mentioned article, for the words "one year" the words "two years" and for the words "reduction to the ranks" the words "reduction to a lower grade or to the ranks" shall be respectively substituted.

Insertion of new article after article 82.

29. After article 82 of the said Articles the following article shall be inserted, namely:

Convening order to state if larger number of officers is not available.

"*Article 82A.*—Whenever a general or district court-martial is ordered to be composed of the smaller number of officers specified the public service, available; and that statement shall be conclusive evidence of the fact so stated."

Substitution of new articles for articles 83, 84 and 85.

30. For articles 83, 84 and 85 of the said Articles the following shall be substituted, namely:

Appointment of regimental court-martial.

"*Article 83.*—A regimental court-martial may be appointed by the officer commanding any corps or department or detachment thereof or by any officer when in command of two or more corps or departments or detachments thereof.

Composition of regimental court-martial.

"*Article 84.*—A regimental court-martial shall consist of not less than three officers.

Powers of such court.

"*Article 85.*—A regimental court-martial shall have power to try all persons subject to these Articles and not above the rank of non-commissioned officer—

(a) for any offence triable by a court-martial under these Articles, except an offence punishable under articles 7 to 23 (both inclusive), articles 54 to 65 (both inclusive), or articles 171 to 173 (both inclusive), and,

(b) with the previous sanction of the prescribed authority, for any of the offences so excepted.

Powers as to sentences of such courts.

"*Article 85A.*—A regimental court-martial shall have power to pass any sentence which might have been passed by a district court-martial for the like offence other than suspension from rank, pay and allowances:

Provided that no sentence of imprisonment for a term exceeding six months, nor any of the additional punishments specified in article 135 shall be passed by a regimental court-martial."

Substitution of new articles for articles 86 to 89.

31. For articles 86 to 89 (both inclusive) of the said Articles the following shall be substituted, namely:

Native and British officers when to be nominated.

"*Article 86.*—(1) The officers composing a court-martial convened under the foregoing provisions shall, except as hereinafter provided, be Native officers.

(2) The Governor General in Council, or the Commander-in-Chief in India, or the general officer of the Command, or any officer empowered in that behalf by warrant of the Commander-in-Chief in India or the general officer of the Command, may direct that any court-martial convened under these Articles shall be composed of British instead of Native officers.

(3) Any person subject to these Articles who is under orders for trial by any court-martial, may claim to be tried by British officers.

(4) In all cases the right of making such a claim shall, before the court is convened, be explained to the person under orders for trial by the commanding officer, or some officer deputed by him in this behalf, and, when such a claim is made, the court shall be constituted accordingly.

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(*Section 32.*)

of the officer convening the court (such opinion to be expressed in the order convening the court and to be conclusive), Native officers are not available with due regard to the public service for service on the court.

Judge advocate and appointment of superintending officer for Native court-martial.

"*Article 87.*—(*1*) Every general court-martial shall be attended by a judge advocate.

(*2*) If no officer of the judge advocate general's department is available, the officer convening the court shall appoint a fit person to act as judge advocate at the trial.

(*3*) No person under orders for trial or under trial by any court-martial may, without the leave of the court, object to any person acting or professing to act as judge advocate.

(*4*) A British officer of not less than four years' service, hereinafter called the superintending officer, shall be appointed to superintend the proceedings of every court-martial composed of Native officers which is not attended by a judge advocate.

President.

"*Article 88.*—(*1*) At every court-martial the senior officer shall sit as president without special appointment as such.

(*2*) In case of the death or unavoidable absence of the president, the next senior officer shall take the place of the president, without special appointment as such, and the trial shall proceed if the court is still composed of not less than the smallest number of officers of which it is required by these Articles to consist.

Finding and sentence invalid without confirmation.

"*Article 89.*—No finding or sentence of a general, district or regimental court-martial shall be valid, except so far as it may be confirmed as provided by these Articles.

By whom findings and sentences may be confirmed or otherwise disposed of.

"*Article 89A.*—(*1*) The following authorities shall have power to confirm the findings and sentences of general and district courts-martial:

(*a*) the Commander-in-Chief in India;

(*b*) the general officer of the Command, as regards troops under his command wherever stationed;

(*c*) the officer commanding a force not attached to a Command;

(*d*) any officer empowered in that behalf by warrant of the Commander-in-Chief in India or the general officer of the Command:

Provided that, except on active service or beyond the limits of India, no warrant issued under this article shall be deemed to empower an officer to confirm any finding or sentence in the case of an officer, medical subordinate or warrant officer, or a sentence of death, transportation or imprisonment for a term exceeding seven years in any case whatever.

(*2*) The provisions of article 73, clauses (*2*) and (*3*), shall, with the necessary modifications, apply to warrants issued under this article.

(*3*) The officer who convenes a regimental court-martial or the officer having authority to

Power of confirming officer to mitigate, remit or commute sentence.

"*Article 89B.*—Subject to such restrictions as may be contained in any warrant issued under the last preceding article, the confirming officer may, when confirming the sentence of a court-martial, mitigate or remit the punishment thereby awarded, or commute that punishment for any less punishment or punishments to which the offender might have been sentenced by the court-martial:

Provided that a sentence of transportation shall not be commuted to a sentence of imprisonment for a term exceeding the term of transportation awarded by the court."

Substitution of new articles for articles 90 to 97.

32. For articles 90 to 97 (both inclusive) of the said Articles the following shall be substituted, namely:

"*Extraordinary Courts-Martial.*

Convening of summary general courts-martial.

"*Article 90.*—The following authorities shall have power to convene a summary general court-martial, and such a court-martial may be convened—

(*a*) in any place, whether within or beyond British India, by an officer empowered in this behalf by an order of the Governor General in Council or of the Commander-in-Chief in India or of the general officer of the Command;

(*b*) by an officer commanding any detached portion of Her Majesty's troops upon active service when, in his opinion, it is not practicable, with due regard to discipline and the exigencies of the service, that an offence should be tried by an ordinary general court-martial.

Composition of summary general courts-martial.

"*Article 91.*—(*1*) A summary general court-martial shall consist of not less than three officers, who may be either British or Native, or both British and Native officers, as the officer convening the court thinks fit.

(*2*) Such court may be convened and the proceedings thereof be recorded in accordance with the form in the Second Appendix to these Articles with such variations as the circumstances of each case may require:

Provided that the convening officer may, in respect of any such trial by such court, specially order the evidence, together with the prisoner's statement in defence, to be fully recorded in writing.

Powers of a summary general court-martial.

"*Article 92.*—A summary general court-martial shall have all the powers of a general court-martial, and, subject to any instructions contained in the order convening the court, its sentence shall be valid, and may be carried out forthwith in case it does not exceed that which a district court-martial is empowered to pass, and in any other case when confirmed by the authority convening the court.

Convening and constitution of, and persons triable by, a summary

"*Article 93.*—(*1*) A summary court-martial may be

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(Sections 33-36.)

ment of Her Majesty's Indian forces, or of any detachment of those forces;

(*b*) by the commanding officer of any British corps or detachment to which Native combatant details subject to these Articles are attached.

(*2*) At every summary court-martial the officer holding the trial shall alone constitute the court, but the proceedings shall be attended throughout by two other officers, British or Native, who shall not, as such, be affirmed or sworn.

(*3*) The proceedings shall be recorded in the English language, and, when closed, shall be signed by the officer holding the trial, and by the officers attending thereat.

(*4*) A summary court-martial may try any person subject to these Articles and under the command of the officer holding the court, except an officer, medical subordinate or warrant officer.

(*5*) Any member of an army hospital corps may be tried by summary court-martial by any officer authorised in this behalf by the officer commanding the division, district, brigade or station to which the alleged offender belongs.

Offences triable by a summary court-martial.

"*Article 94.*—A summary court-martial may try any offence punishable under any of these Articles:

Provided that when there is no grave reason for immediate action, and reference can, without detriment to discipline, be made to superior authority, a summary court-martial shall not try without such reference any of the following offences, namely:

(*a*) any offence punishable under any of the articles 7 to 23 (both inclusive), or articles 54 to 65 (both inclusive), or article 171;

(*b*) any offence against the officer holding the court.

Powers of a summary court-martial.

"*Article 95.*—(*1*) A summary court-martial held by the commanding officer of a corps or department may pass any sentence which can be passed under these Articles, except a sentence of death or transportation, or of imprisonment for a term exceeding one year.

(*2*) A summary court-martial held by any other officer may pass any sentence which can be passed under these Articles, except a sentence of death or transportation, or of imprisonment for a term exceeding six months.

Finding and sentence of a summary court-martial.

"*Article 96.*—The finding and sentence of a summary court-martial shall not require to be confirmed, but may be carried out at once:

Provided that, if the officer holding the trial is of less than five years' service, he shall not, except on active service, carry into effect any sentence until it has received the approval of a superior military officer commanding not less than a corps.

Transmission of proceedings of summary

"*Article 97.*—The proceedings of every summary court-martial shall, without delay, be forwarded officer: and such officer or the Commander-in-Chief in India or the general officer of the Command, or, when the court is held in a force not attached to a Command, the officer commanding the force, may, for reasons based on the merits of the case, but not on any merely technical grounds, set aside the proceedings."

Substitution of new article for article 100.

33. For article 100 of the said Articles the following shall be substituted, namely:

Arrest or confinement of accused.

"*Article 100.*—(*1*) Whenever any person subject to these Articles is accused of any offence which his commanding or other superior officer considers should be tried by court-martial, such officer shall order the accused to be placed in military custody until he can be tried by a court-martial or is discharged by proper authority.

(*2*) No such person shall be detained in military custody longer than is necessary for the purposes of justice."

Repeal of article 101.

34. Article 101 of the said Articles is hereby repealed.

Substitution of new article for article 102.

35. For article 102 of the said Articles the following shall be substituted, namely:

Interpreter.

"*Article 102.*—(*1*) An interpreter shall be appointed to every court-martial.

(*2*) If no duly qualified interpreter is available at the station or place where the court-martial sits, the officer appointing the court, or the officer commanding in the district or place within or at which the trial is to be held, shall appoint any competent person to perform the duty of interpreter.

(*3*) When no other qualified or competent person is available, the superintending officer, or, in the case of an European court, the president, shall perform the duty of interpreter.

(*4*) In the case of a trial by a summary court-martial, the officer holding the trial, or one of the officers in attendance thereat, may perform the duty of interpreter if no other competent interpreter is available.

(*5*) No interpreter shall, as such, have a vote upon any matter."

Substitution of new articles for article 103.

36. For article 103 of the said Articles the following shall be substituted, namely:

Dissolution of courts.

"*Article 103.*—(*1*) When a court-martial after the commencement of the trial is reduced below the smallest number of officers of which it is by these Articles required to consist, it shall be deemed to be dissolved.

(*2*) If, on account of the illness of the prisoner before the finding, it is impossible to continue the trial, a court-martial shall be dissolved.

(*3*) Where a court-martial is dissolved under this article, the prisoner may be tried again.

Power to clear court.

"*Article 103A.*—The president of a court-martial may, on any de-

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(*Sections 37-44.*)

"*Article 103B.*—The court may, when it thinks fit, view any place."

Power to view place.

37. In article 104 of the said Articles the words "general court-martial appointed under an Order in Council, or of any other" and the words and figures "under article 96 or 97" shall be omitted.

Amendment of article 104.

38. In article 107 of the said Articles, for the words "courts-martial, other than courts-martial appointed under an Order in Council, or summary" the word "ordinary" shall be substituted.

Amendment of article 107.

39. After article 108 of the said Articles the following article shall be inserted, namely:

Insertion of new article after article 108.

"*Article 108A.*—At a summary court-martial the interpreter shall make affirmation or oath down to the words 'published by authority' only."

Affirmation or oath of interpreter.

40. Article 114 of the said Articles is hereby repealed.

Repeal of article 114.

41. For article 116 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 116.

"*Article 116.*—(*1*) A prisoner charged before a court-martial with desertion may be found guilty of attempting to desert or of being absent without leave.

Conviction of one offence permissible on charge of another.

(*2*) A prisoner charged before a court-martial with attempting to desert may be found guilty of desertion or of being absent without leave.

(*3*) A prisoner charged before a court-martial with any one of the following offences, that is to say, theft, dishonest misappropriation or conversion, criminal breach of trust, or dishonestly receiving or retaining stolen property, may be found guilty of any other of those offences.

(*4*) A prisoner charged before a court-martial with any other offence under these Articles may, on failure of proof of an offence having been committed under circumstances involving a more severe punishment, be found guilty of the same offence as having been committed under circumstances involving a less severe punishment."

42. For article 117 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 117.

"*Article 117.*—(*1*) When any person subject to these Articles has been convicted by a court-martial of any offence, such court-martial shall enquire into, and receive and record evidence of, any previous convictions of such person, either by a court-martial or by a criminal court, and shall further enquire into and record the general character of such person.

Evidence of previous convictions and general character.

(*2*) Evidence received under this article may be either oral, or in the shape of entries in, or certified extracts from, court-martial books or other official records; and it shall not be necessary to give notice before trial to the person tried that evidence as to his previous convictions or character will be received.

(*3*) At a summary court-martial the commanding officer holding the trial may, if he thinks fit, record any previous convictions against the offender and his general character, as of his own knowledge, instead of requiring them to be proved under the foregoing provisions of this article.

"*Article 117A.*—Subject to the provisions of the last foregoing article, the Indian Evidence Act, 1872, subject to such modifications thereof and to such additional rules of evidence as the Governor General in Council may, by notification, direct, shall apply to all proceedings before a court-martial."

General rule as to evidence.

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43. For articles 119 and 120 of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 119 and 120.

"*Article 119.*—No sentence of death shall be passed by any court-martial without the concurrence of two-thirds at the least of the members of the court.

Majority requisite to sentence of death.

"*Article 120.*—(*1*) The finding or sentence of any court-martial may be once revised by order of the officer authorized to dispose of the proceedings, and, on such revision, the court, if so directed by him, may take additional evidence.

Revision of finding or sentence.

(*2*) The court, on revision, shall consist of the same officers as were present when the original decision was passed, unless any of those officers shall be unavoidably absent.

(*3*) In case of such unavoidable absence the cause thereof shall be duly certified in the proceedings, and the court shall proceed with the revision, provided it still consists of the smallest number of officers of which such court is by these Articles required to consist."

44. For articles 122 to 124 (both inclusive) of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 122 to 124.

"*Article 122.*—(*1*) The judge advocate in the case of a general court-martial, and the officer ordering the trial in the case of any other court-martial, may, by summons under his hand, require the attendance before the court, at a time and place to be mentioned in the summons, of any person either to give evidence or to produce any document or other thing.

Summoning witnesses and production of documents.

(*2*) In the case of a witness amenable to military authority, the summons shall be sent to the officer actually commanding the corps, department or detachment to which he belongs, and such officer shall serve it upon him accordingly.

(*3*) In the case of any other witness, the summons shall be sent to the magistrate within whose jurisdiction he may be or reside, and

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(Sections 45-51.)

(4) When a witness is required to produce any particular document or other thing in his possession or power, the summons shall describe it with convenient certainty.

(5) Nothing in this section shall be deemed to affect the Indian Evidence Act, 1872, sections 123 and 124, or to apply to any letter, post-card, telegram or other document in the custody of the postal or telegraph authorities.

I of 1872.

(6) If any document in such custody is, in the opinion of any district magistrate, chief presidency magistrate, high court or court of session, wanted for the purposes of any court-martial, such magistrate or court may require the postal or telegraph authorities, as the case may be, to deliver such document to such person as such magistrate or court may direct.

(7) If any such document is, in the opinion of any other magistrate or of any commissioner of police or district superintendent of police, wanted for any such purpose, he may require the postal or telegraph department, as the case may be, to cause search to be made for and to detain such document pending the orders of any such district magistrate, chief presidency magistrate or court.

Contempts of court.

"*Article 123.*—(1) Any witness duly summoned, and any person who commits any contempt of court in the presence of a court-martial, or any offence described in article 56, 67 or 68, shall, if subject to these Articles, be proceeded against as the court may direct.

(2) If any such witness or person is not so subject, the president of the court-martial may certify the offence under his hand to the court of any magistrate within the local limits of whose jurisdiction it was committed, and the magistrate may thereupon take cognizance of the case, and, after hearing anything which the accused may desire to say, dispose of it as if the offence had been committed in a proceeding in the court of such magistrate.

Privileges of persons attending courts-martial.

"*Article 124.*—(1) No president or member of a court-martial, no judge advocate or superintending officer, no party to any proceeding before a court-martial or his legal practitioner or agent, and no witness acting in obedience to a summons to attend a court-martial, shall, while proceeding to, attending on or returning from, a court-martial, be liable to arrest under civil or revenue process.

(2) If any such person is arrested under any such process, he may be discharged by order of the court-martial."

Repeal of articles 125 to 129.

45. Articles 125 to 129 (both inclusive) of the said Articles are hereby repealed.

Amendment of article 130.

46. In article 130, clause (*d*), sentence 1, of the said Articles, for the words "one year" the words "two years" shall be substituted.

Substitution of new article for article 131.

47. For article 131 of the said Articles the following shall be substituted, namely:

"*Article 131.*—Dismissal from the service may

Insertion of words in article 132.

48. In article 132 of the said Articles, after the word "reduced" the words "to a lower grade or" shall be inserted.

Substitution of new articles for articles 133 to 137.

49. For articles 133 to 137 (both inclusive) of the said Articles the following shall be substituted, namely:

Solitary confinement.

"*Article 133.*—In executing a sentence of solitary confinement, such confinement shall in no case exceed fourteen days at a time, with intervals between the periods of solitary confinement of not less duration than such periods; and, when the imprisonment awarded shall exceed three months, the solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded, with intervals between the periods of solitary confinement of not less duration than such periods.

Reduction of non-commissioned officers to ranks.

"*Article 134.*—A non-commissioned officer sentenced by court-martial to any of the punishments specified in the second paragraph of article 132 shall be deemed to be reduced to the ranks.

Forfeiture of pay and pension.

"*Article 135.*—On a conviction of any offence, a general, summary general or district court-martial may, in addition to any other punishment which it is empowered to award, sentence the offender to forfeit all advantage as to additional pay and claim to pension on discharge which might otherwise have accrued from the length or nature of his former service, or to forfeit all such advantage absolutely, whether it has accrued from former service or may accrue from future service, or to forfeit service for the purpose of promotion, increased pay or pension or any other prescribed purpose, or to forfeit any military decoration or reward.

Stoppage of good-conduct pay on conviction.

"*Article 136.*—Whenever a person subject to these Articles is convicted by a court-martial, his good-conduct pay shall, subject to any rules or orders which may from time to time be made with the previous sanction of the Governor General in Council, cease.

Forfeiture of arrears of pay.

"*Article 137.*—On a conviction for any offence, if the offender is sentenced to dismissal from the service, or if his sentence involves such dismissal, he may further be sentenced to forfeit, if the court shall so direct,—

(*a*) all or any arrears of pay and allowances or other public money due to him at the time of his dismissal, or

(*b*) such portion thereof as may be required to make good any proved loss or damage arising out of his offence."

Amendment of article 138.

50. The first paragraph of article 138 of the said Articles, and the word "and" at the beginning of the second paragraph of the same article, are hereby repealed.

Amendment of article 139.

51. In article 139 of the said Articles, for the words "in the case of an officer, two-thirds, or,

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(*Sections 52-63.*)

52. Articles 142 to 149 (both inclusive) of the said Articles are hereby repealed.

Repeal of articles 142 to 149.

53. In articles 150 and 151 of the said Articles, after the words "the offender shall" the words "as soon as may be convenient" shall be inserted, and for the words "the nearest jail" the words "a jail" shall be substituted.

Amendment of articles 150 and 151.

54. To the last-named article the following proviso shall be added, namely:

Addition to article 151.

"Provided that, in the case of a sentence of such imprisonment for a period not exceeding three months, the confirming or superior authority or, in the case of a summary court-martial, the commanding officer holding the trial may direct that the sentence shall be undergone in military custody."

55. To article 152 of the said Articles the words "Subject to the control of the Commander-in-Chief in India" shall be prefixed; and for the words "the Commander-in-Chief of a Presidency" the following words shall be substituted, namely: "the general officer of the Command."

Amendment of article 152.

56. To the second paragraph of the last-mentioned article the words "Subject as aforesaid," shall be prefixed, and in the same paragraph for the words "any Presidency" the words "a Command" shall be substituted.

Further amendment of same article.

57. In article 155 of the said Articles, after the words "from the date of such sentence" the words "or, if an appeal be preferred against such sentence and fail, from the date of the disposal of such appeal," shall be inserted.

Insertion of new words in article 155.

58. To the last-mentioned article the following shall be added, namely:

Addition to same article.

"Provided that on active service any such person may, by order of the officer empowered under these Articles to confirm or otherwise dispose of the proceedings of the trial, be retained to serve in the ranks, and his service therein shall be reckoned as part of his term of transportation or imprisonment."

59. Articles 156 to 159 (both inclusive) of the said Articles are hereby repealed.

Repeal of articles 156 to 159.

60. For article 160 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 160.

"*Article 160.*—When any person subject to these Articles has been convicted by a court-martial of any offence,—

Pardons and remissions.

(*a*) the Governor General in Council, or,

(*b*) when the person has been convicted of any offence other than a civil offence, the Commander-in-Chief in India or the general officer of the Command,

(*2*) remit wholly or in part any punishment awarded to him;

(*3*) order the restoration to him of any service or other advantage forfeited under his sentence, or

(*4*) re-admit him to the service when he has been dismissed therefrom:

Provided that the general officer of the Command shall not exercise the powers conferred by this section in respect of any person, unless—

(*1*) the person was under his authority when sentenced; and

(*2*) the person is still in the service, or, if the person has been dismissed from the service, the corps or department from which he was dismissed has since continued under the authority of that officer."

61. In article 161 of the said Articles the words "or to the Government of Fort St. George, or to the Government of Bombay," shall be repealed; and for the words "Commander-in-Chief of any Presidency or of the officer commanding any force not attached to a Presidency" the following words shall be substituted, namely: "Commander-in-Chief in India or the general officer of the Command, or of the officer commanding any force not attached to a Command."

Amendment of article 161.

62. After article 161 of the said Articles the following shall be inserted, namely:

Addition of new article after article 161.

"*Preservation of Proceedings.*

"*Article 161A.*—(*1*) The proceedings of all general courts-martial shall be preserved by the judge advocate general for not less than seven years, and the proceedings of summary general courts-martial and district courts-martial for not less than three years, from the date of the confirmation of the finding and sentence.

Preservation of proceedings of courts-martial.

(*2*) The proceedings of regimental and summary courts-martial shall be preserved for three years with the records of the corps or department to which the prisoner belonged.

(*3*) Every person tried by a court-martial shall be entitled, on demand at any time after the confirmation of the finding and sentence where such confirmation is required, and before the proceedings are destroyed, to obtain from the officer or person having the custody of the proceedings a copy thereof, including the proceedings upon revision, if any, upon payment for the same at the prescribed rate."

63. For article 162 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 162.

"*Article 162.*—(*1*) When any person subject to these Articles has been absent without due authority from his duty for a period of sixty days, a court of enquiry shall, as soon as practicable, be assembled, and, upon affirmation or oath administered in the prescribed manner, shall enquire respecting the absence of the person, and the deficiency, if any, of property of the

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(*Sections 64-71.*)

ammunition, equipments, instruments, clothing or necessaries; and, if satisfied of the fact of such absence without due authority or other sufficient cause, the Court shall declare such absence and the period thereof, and the said deficiency, if any; and the commanding officer of the corps or department to which the person belongs shall enter in the court-martial book of the corps or department a record of the declaration.

(*2*) If the person declared absent does not afterwards surrender, or is not apprehended, the record shall have the legal effect of a conviction of desertion.

(*3*) If the person declared absent surrenders or is apprehended, the record or a copy thereof, purporting to bear the signature of the officer having the custody of the court-martial book, shall, on the trial of the person for desertion, be presumptive evidence of the facts therein recorded; and, on proof of the identity of the prisoner with the person therein mentioned, he may be found guilty of desertion and of the deficiency, if any, therein recorded."

Amendment of article 163.

64. For the last paragraph of article 163 of the said Articles the following shall be substituted, namely:

"Such recommendation, duly confirmed by the Commander-in-Chief in India, or by the general officer of the Command, or the officer commanding any force not attached to a Command to which he belongs, or by any general officer under whose command the person is serving, shall entitle him to receive such arrears and reckon service accordingly."

Substitution of new article for article 164.

65. For article 164 of the said Articles the following shall be substituted, namely:

"*Article 164.*—The Commander-in-Chief in India, the general officer of the Command, the officer commanding any force not attached to a command, and the officer commanding any district or division or brigade, shall respectively have power to reduce to a lower grade or to the ranks any non-commissioned officer under his command."

Reduction to lower grade or ranks.

Amendment of article 165.

66. In article 165 of the said Articles, for the words "No such minor punishment shall be awarded by a court-martial," to the end of the article, the following shall be substituted, namely:—

"Unless otherwise specially provided by the said Commander-in-Chief, no Native officer, medical subordinate or warrant officer shall be liable to any such minor punishment.

"Good-conduct pay shall not necessarily be forfeited on the infliction of a minor punishment, but forfeiture thereof may be awarded as a substantive punishment, by order of the commanding officer, as may from time to time be prescribed in the General Orders of the Commander-in-Chief in India.

"Forfeiture of good-conduct pay may be awarded in addition to any other minor punishment."

Amendment of article 166.

67. In article 166 of the said Articles, the words "the Governor of Fort St. George in Coun-

Amendment of article 168.

68. In article 168 of the said Articles, for the words "the Commander-in-Chief of the Presidency" the words "the Commander-in-Chief in India or the general officer of the Command" shall be substituted.

Amendment of article 169.

69. In the second paragraph of article 169 of the said Articles, for the words "warrant officer" the words "non-commissioned officer" shall be substituted.

Repeal of part of article 170.

70. The second and third paragraphs of article 170 of the said Articles are hereby repealed.

Substitution of new articles for articles 171 to 175.

71. For articles 171 to 175 (both inclusive) of the said Articles the following shall be substituted, namely:

"*Civil Offences.*

"*Article 171.*—Every person subject to these Articles who at any place beyond British India commits any civil offence shall be deemed to be guilty of an offence against military law, and if charged therewith under this article shall, subject to the provisions of these Articles, be liable to be tried for the same by court-martial at any place, whether within or beyond British India, and on conviction to be punished as follows, that is to say:

Military jurisdiction with respect to civil offences.

(*a*) if the offence is one which would be punishable under the law of British India with death or with transportation, or with imprisonment for a term exceeding three years, he shall be liable to suffer any punishment assigned for the offence by the law of British India; and

(*b*) in other cases, he shall be liable to suffer any punishment assigned for the offence by the law of British India or such punishment as might be awarded to him in pursuance of these Articles in respect of an act to the prejudice of good order and military discipline.

"*Article 172.*—The Governor General in Council may, by notification, extend the last foregoing article to civil offences or any class of those offences committed by a person subject to these Articles when on active service in British India, and may cancel any such notification.

Extension of article 171 to certain civil offences.

"*Article 173.*—Every person subject to these Articles who, whether within or beyond British India, commits or attempts to commit or abets the commission of any of the following offences against any person subject to military law, that is to say, murder, culpable homicide or any offence punishable under any of the sections 323 to 335 (both inclusive) or section 506 of the Indian Penal Code, shall be deemed to be guilty of an offence against military law, and if charged under this article with any such offence shall, subject to the provisions of these Articles, be

Certain offences when triable by military law.

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(*Sections 72-73.*)

conviction shall be liable to suffer any punishment assigned for the offence by the said Code.

"*Article 174.*—When under any of the foregoing Articles a criminal court and a court-martial have each jurisdiction in respect of an offence, it shall be in the discretion of the prescribed military authority to decide before which court the proceedings shall be instituted, and, if that authority decides that they shall be instituted before a court-martial, to direct that the accused person shall be detained in military custody.

Jurisdiction over certain offences.

"*Article 175.*—(*1*) When a criminal court having jurisdiction is of opinion that proceedings ought to be instituted before itself in respect of any alleged offence, it may, by written notice, require the convening authority or the prescribed military authority at his option either to deliver over the offender to the nearest magistrate to be proceeded against according to law or to postpone proceedings pending a reference to the Governor General in Council.

Power of criminal court to require delivery of offender.

(*2*) In every such case the said authority shall either deliver over the offender in compliance with the requisition or shall forthwith refer the question as to the court before which the proceedings are to be instituted for the determination of the Governor General in Council, whose order upon such reference shall be final."

72. For articles 176 to 179 (both inclusive) of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 176 to 179.

"TITLE VI.—PROPERTY OF DECEASED PERSONS AND DESERTERS.

"*Article 176.*—The following rules are enacted respecting the disposal of the property of every person who belongs to a class subject to these Articles who dies, is killed in the field or deserts:—

Property of deceased persons, deserters and lunatics.

(*1*) The commanding officer shall secure all the moveable property that is on the spot, and cause an inventory thereof to be made, and draw any pay and allowances due to the deceased or deserter.

(*2*) In the case of a deceased person who has left in a Government Savings Bank (including any Post Office Savings Bank, however named,) a deposit not exceeding one thousand rupees, the commanding officer may, if he thinks fit, require the secretary or other proper officer of the bank to pay the deposit to him forthwith notwithstanding anything in any departmental rules; and, after the payment thereof in accordance with such requisition, no person shall have any right in respect of the deposit except as hereinafter provided.

(*3*) In the case of a deceased person whose representative is on the spot and has given security for the payment of the regimental debts (if any) of the deceased, the commanding officer shall deliver over the property and the amount of the deposit (if any) received under clause (*2*) of this article to that representative.

(*4*) [In the case of any other deceased person's] article, and in the case of any deserter, the commanding officer shall cause the property to be sold by public auction, and shall pay the regimental debts and other debts in camp or quarters (if any), and in the case of a deceased person the expenses of his funeral ceremonies, from the proceeds of the sale and the amount of the deposit (if any) received under clause (*2*) of this article.

(*5*) The surplus, if any, shall in the case of a deceased person be paid to his representative, if any, or in the event of no claim to such surplus being established within twelve months after the death, then the same shall be remitted to the prescribed officer.

(*6*) In the case of the sale of the effects of a deserter, the amount remaining in the hands of the commanding officer shall be forthwith remitted to the prescribed officer.

"*Article 177.*—Property deliverable and money payable to the representative of a deceased person under the last foregoing article may, if the total value or amount thereof does not exceed one thousand rupees, and if the prescribed officer thinks fit, be delivered or paid to any person appearing to him to be entitled to receive it or to administer the estate of the deceased, without requiring the production of any probate, letters of administration, certificate or other such conclusive evidence of title; and such delivery or payment shall be a full discharge to those ordering or making the same and to the Secretary of State for India in Council from all further liability in respect of the property or money; but nothing in this article shall affect the rights of any executor or administrator or other representative, or of any creditor, of a deceased person against any person to whom such delivery or payment has been made.

Disposal of certain property without production of probate, etc.

"*Article 178.*—A person shall be deemed to have deserted within the meaning of article 176 who has been convicted of desertion, or who has been illegally absent from duty for a period of sixty days and has not subsequently surrendered or been apprehended.

Meaning of desertion in article 176.

"*Article 179.*—The provisions of the last-mentioned article shall, so far as they can be made applicable, apply in the case of a person subject to these Articles becoming insane, such allowance being made for his support as is authorised by the Military Lunatics Act, 1877." XI of 1877.

Application of article 176 to lunatics.

73. For Part III of the said Articles the following shall be substituted, namely:

Substitution of new Part for Part III.

"PART III.—MISCELLANEOUS.

"*Article 180.*—When any person subject to these Articles has been acquitted or convicted of an offence by a court-martial or by a criminal court, or has been summarily dealt with for an offence under article 165 or 166, he shall not be liable to be again tried for the same offence by a court-martial or dealt with summarily in respect of it under either of the said articles.

Prohibition of second trial.

"*Article 181.*—(*1*) No person subject to these Articles shall, so long as he

Exemption from ar-

The Indian Articles of War Amendment Act, 1894

(Section 73.)

under any process issued by, or by the authority of, any civil or revenue court or revenue-officer.

(2) The judge of any such court may examine into any complaint made by such person or his superior officer of the arrest of such person contrary to the provisions of this article, and may by warrant under his hand discharge the person, and award reasonable costs to the complainant, who may recover those costs in like manner as he might have recovered costs awarded to him by a decree against the person obtaining the process.

(3) For the recovery of such costs no fee whatever shall be payable to the court by the complainant.

Property exempted from attachment.

"*Article 182.*—Neither the arms, clothes, equipment, accoutrements or necessaries of any person subject to these Articles, nor any animal used by him for the discharge of his duty, shall be seized; nor shall the pay and allowances of any such person or any part thereof be attached, by direction of any civil or revenue court or any revenue-officer, in satisfaction of any decree or order enforceable against him.

Application of the last two foregoing articles to reservists.

"*Article 183.*—Every person belonging to the Indian Reserve Forces shall, when called out for or engaged upon or returning from training or service, as an officer or soldier, be entitled to all the privileges accorded by the two last foregoing articles to a person subject to these Articles.

Priority of hearing by courts of cases in which Native officers and soldiers are concerned.

"*Article 184.*—(1) On the presentation to any court by or on behalf of any officer or soldier subject to these Articles of a certificate, from the proper military authority, of leave of absence having been granted to or applied for by him for the purpose of prosecuting or defending any suit or other proceeding in such court, the court shall, on the application of such officer or soldier, arrange, so far as may be possible, for the hearing and final disposal of such suit or other proceeding within the period of the leave so granted or applied for.

(2) The certificate from the proper military authority must state the first and last day of the leave or intended leave, and set forth a description of the case with respect to which the leave was granted or applied for.

(3) No fee whatever shall be payable to the court in respect of the presentation of any such certificate, or in respect of any application by or on behalf of any such officer or soldier for priority for the hearing of his case.

(4) Where the court is unable to arrange for the hearing and final disposal of the suit or other proceeding within the period of such leave or intended leave as aforesaid, it shall record its reasons for having been unable to do so, and shall cause a copy thereof to be furnished to such officer or soldier on his application, without any payment whatever by him in respect either of the application for such copy or of the copy itself.

(5) If in any case a question arises as to the proper military authority qualified to grant officer commanding a corps, whose decision shall be final.

Capture of deserters.

"*Article 185.*—(1) Whenever any person subject to these Articles deserts, the commanding officer of the corps, department or detachment to which he belongs shall give written information of the desertion to such civil, political or police authorities as, in his opinion, may be able to afford assistance towards the capture of the deserter; and such authorities shall thereupon take steps for the apprehension of the said deserter in like manner as if he were a person for whose capture a warrant had been issued by a magistrate, and shall deliver the deserter, when apprehended, to military custody.

(2) Such authorities shall also, by such means as appear to them best adapted for the purpose, prevent persons reasonably believed to be subject to these Articles from travelling through the areas subject to their jurisdiction, unless on duty, or furnished with a certificate of leave or discharge.

(3) Any police-officer may arrest, without warrant, any person reasonably believed to be subject to these Articles and to be travelling without authority, and shall bring him without delay before the nearest magistrate, or the nearest military commanding officer when no magistrate is readily accessible, to be dealt with according to law.

Apprehension of military offenders.

"*Article 186.*—Whenever any person subject to these Articles, who is accused of any military offence, is within the jurisdiction of any civil, political or police officer, such officer shall aid in the apprehension and delivery to military custody of such person upon receipt of a written application to that effect signed by his commanding officer.

Presumption as to signatures.

"*Article 187.*—In any proceeding under these Articles, any application, certificate, warrant, reply or other document purporting to be signed by an officer in the civil or military service of the Government shall, on production, be presumed to have been duly signed by the person and in the character by whom and in which it purports to have been signed, until the contrary is shown.

Portions of the forces under an Army Command.

"*Article 188.*—(1) The Governor General in Council may direct that for the purposes of these Articles—

(*a*) any portion of Her Majesty's Indian Forces belonging to a Command shall, when serving beyond the ordinary limits of the Command, continue subject to the authority of the general officer of the Command; or

(*b*) any portion of those forces not belonging to a Command shall be attached to a Command, and shall be subject to the authority of the general officer of the Command.

(2) Except as may be directed under clause (1) of this article, any portion of the said forces shall, when serving in a Command, be for the purposes of these Articles subject to the

The Indian Articles of War Amendment Act, 1894.

(*Section 74.*)

"*Article 189.*—Nothing in these Articles shall be deemed to affect the authority conferred on the Commander-in-Chief in India by any Act of Parliament or by Royal Warrant or Commission.

Saving of authority of Commander-in-Chief in India.

"*Article 190.*—(*1*) The Governor General in Council may, by notification, make rules consistent with these Articles to regulate the procedure of courts-martial and officers, military, civil or political, having any jurisdiction or authority under these Articles, and for the purpose of carrying these Articles into execution, so far as relates to the investigation, trial and punishment of offences triable under them.

Power to make rules.

(*2*) Rules under this article may provide among other matters for the following:

(*a*) the assembly and procedure of courts of enquiry;

(*b*) the convening and constituting of courts-martial;

(*c*) the adjournment, dissolution and sittings of courts-martial;

(*d*) the procedure to be observed in trials by courts-martial;

(*e*) the confirmation and revision of the findings and sentences of courts-martial;

(*f*) the carrying into effect sentences of courts-martial;

(*g*) the forms of orders to be made under the provisions of these Articles relating to courts-martial, transportation or imprisonment.

(*3*) The Governor General in Council may by any such rule confer on any court-martial or officer any power (other than a power to try an accused person or pass a sentence) conferred on a court of original jurisdiction by the Code of Criminal Procedure, 1882. X of 1882.

"*Article 191.*—(*1*) The Governor General in Council may, by notification, apply all or any of the provisions of these Articles to any force raised and maintained in India under the authority of the Governor General in Council, and may cancel or modify any such notification.

Powers to apply Articles to certain forces under the Government of India.

(*2*) While any of the provisions of these Articles apply to any such force, the Governor General in Council may, by notification, direct by what authority any jurisdiction, powers or duties incident to the operation of those provisions shall be exercised or performed in respect to that force."

74. After the Appendix to the said Articles the Second Appendix set out in the Schedule to this Act shall be added.

Addition of Second Appendix to Articles.

The Indian Articles of War Amendment Act, 1894.

(The Schedule.)

THE SCHEDULE.

(See section 74.)

THE SECOND APPENDIX.

(See article 91.)

FORM FOR ASSEMBLY AND PROCEEDINGS OF SUMMARY GENERAL COURT-MARTIAL.

Proceedings.

* State the place.

* At , this day of 18 .

-Order conven- he Court.

WHEREAS it appears to me that the persons named in the annexed schedule, and being subject to military law, have committed the offences in the said schedule mentioned, and I, the undersigned, an officer now in command of on active service, am of opinion that it is not practicable, having due regard to the public service, to convene an ordinary Court-Martial to try such offences († or to delay the trial for reference to a superior qualified officer), I hereby convene a Summary General Court-Martial to try the said persons, and to consist of—

† Omit, except where convening officer is not a Commanding Officer and is below rank of Field Officer.

PRESIDENT:

Rank.	Name.	Regiment.
....	....	....

MEMBERS:

Rank.	Name.	Regiment.
....	....	....
....	....	....
....	....	....

Certificate of ...nt as to pro...gs.

I certify that the above Court assembled on the day of and duly tried the persons named in the said schedule, and that the plea, finding, and sentence in the case of each such person were as stated in the third and fourth columns of that schedule.

Signed this day of 18 .

C.................D................,

President of the Court-Martial.

...onfirmation.

I have dealt with the findings and sentences in the manner stated in the last column of the above schedule, and, subject to what I have there stated, I hereby confirm the above findings and sentences; and I am of opinion, with reference to the sentences of summary

The Indian Articles of War Amendment Act, 1894.

(*The Schedule.*)

punishment mentioned in the schedule, that imprisonment cannot, with due regard to the public service, be carried into execution (*and I am of opinion that it is not practicable, having due regard to the public service, to delay the cases for confirmation by any superior qualified authority).

* Omit, except where under rules it is ordinarily the duty of the confirming officer to reserve the case.

Signed this day of 18 .

E.........................F.........................,

Field (or General) Officer in the Force (or Commanding).

D.—Confirm... of reserved se... ces.

I have dealt with the reserved findings and sentences in the manner stated in the last column of the schedule, and, subject to what I have there stated, I hereby confirm the said reserved findings and sentences.

Signed this day of 18 .

G.........................H.........................,

General (Field) Officer in the Force

E.—Confirm... of sentence of or penal servit...

Subject to what I have stated in the last column of the schedule, I hereby confirm the (finding and) sentence of death in the case of and of transportation in the case of († and in the case of the above sentences of death I am of opinion that by reason of‡ it is not practicable, having due regard to the public service, to delay the case for confirmation by any qualified officer superior to myself).

† Omit, where confirmed by officer in chief command.

‡ State, according to the circumstances, the nature of the country, or the great distance, or the operations of the enemy.

Signed this day of 18 .

J.........................K.........................,

General (Field) Officer in Chief Command of the Forces.

The Indian Articles of War Amendment Act, 1894.

(The Schedule.)

Schedule.

*Date*____________________*18* . *No.*________

Name of alleged offender.*	Offence charged.	Plea.	Finding and, if convicted, sentence.†	How dealt with by confirming officer.
1	2	3	4	5
Ram Bux (Bunniah) ...	Offence against person of inhabitant of country.	Guilty ...	Guilty. H. L. imprisonment for——	Confirmed. I remit— E.......... F..........
262, Sepoy Jhunda Singh, 167th Regiment.	Breaking into house in search of plunder.	Not guilty.	Guilty. Two months' H. L. imprisonment.	Not confirmed. E ....F..........
564, Sowar Hossein Khan, 16th Regiment.	Drunk on post ...	Not guilty.	Guilty. Death. Recommended to mercy.	Reserved, or confirmed, but commuted to H. L. imprisonment for— E..........F.......... Confirmed, but commuted to——years' transportation. J..........K..........
Person accompanying force (name unknown), white jacket and trousers, scar on right cheek.	Impeding provost marshal.	Not guilty.	Not guilty.	
Sepoy in uniform of 67th Regiment (name unknown).	Offence against property of inhabitant of country.	Not guilty.	Guilty. H. L. imprisonment for——	Reserved. E.........F.......... Confirmed. G.........H..........
P. Q. *Convening Officer.*			C. D. *President.*	

* If the name of the person charged is unknown, he may be described as unknown, with such addition as will identify him.
† Recommendation to mercy to be inserted in this column.

J. M. MACPHERSON,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1894, and is hereby promulgated for general information:

ACT No. XIII OF 1894.

An Act to amend certain enactments relating to the Army.

WHEREAS it is expedient to amend certain enactments relating to the Army in manner hereinafter appearing; It is hereby enacted as follows:

Title and commencement.

1. (*1*) This Act may be called the Repealing and Amending (Army) Act, 1894; and

(*2*) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, fix in that behalf.

Repeal and amendment of enactments.

2. (*1*) The enactment specified in the first schedule is hereby repealed to the extent mentioned in the third column thereof.

(*2*) The enactments specified in the second schedule are hereby modified to the extent and in the manner mentioned in the third column thereof.

THE FIRST SCHEDULE.

ENACTMENT REPEALED.

Number and year.	Title.	Extent of repeal.
1	2	3
Act of the Governor General in Council.		
XI of 1877 ...	Military Lunatics Act, 1877.	In sections 4 and 6 *the words* divisions or. In section 7 *the word* division.

THE SECOND SCHEDULE.

ENACTMENTS AMENDED.

Number and year.	Title or subject.	Amendments.
1	2	3
Act of the Governor General in Council.		
XI of 1877 ...	Military Lunatics Act, 1877.	In section 3, *for* Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force *read* Army Act; *for* military regulations of the Presidency to which he belongs *read* military regulations in force for the time being; *for* one of the Surgeons-General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs *read* the Principal Medical Officer of Her Majesty's Forces in India, the Surgeon-General with the Government of India, the Surgeon-General with the Government of Madras, the Surgeon-General with the Government of Bombay, or the Principal Medical Officer of the "Command" to which the said lunatic belongs; *and for* such Surgeon-General *and* the Surgeon-General *read* such Principal Medical Officer or Surgeon-General. In sections 3, 6 and 7, *for the words* local military regulations, *wherever they occur, read* military regulations.
Regulations of the Madras Code.		
VII of 1808 ...	Power to establish martial law.	In the title, in the first place in which the words occur in the preamble, in section 2 and in section 4, *for* Governor in Council *read* Governor General in Council.
VIII of 1817...	Sepoy Málguzárs.	In the title, *for* on the military establishment of the Presidency of Fort St. George *read* in the Madras Command. In section 9, clause *first*, *for* on the military establishment under the Presidency of Fort St. George *read* in the Madras Command.

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TO

Punjab Government Gazette

FOR HALF YEAR ENDING

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Published by Authority.

LAHORE, THURSDAY, JANUARY 25, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 11th January, 1894:—

No. 1 OF 1894.

THE PRISONS BILL.

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The Prisons Bill.

(Chapter I.—Preliminary.—Sections 1-3. Chapter II.—Maintenance and Officers of Prisons.—Sections 4-6.)

A Bill to amend the law relating to Prisons.

WHEREAS it is expedient to amend the law relating to prisons in British India, and to provide rules for the regulation of such prisons; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (*1*) This Act may be called the Prisons Act, 1894.

(*2*) It extends to the whole of British India, inclusive of Upper Burma, British Baluchistan, the Santal Parganas, the Hill Tracts of Chittagong, the Chutia Nagpur Division, the Tarai Parganas, the Pargana of Spiti, and the Zamindari and Amani Estates of Ganjam and Vizagapatam, and the Presidency-towns of Calcutta, Madras and Bombay; and

(*3*) It shall come into force on the day of .

Repeal.

2. (*1*) On and after that day the enactments mentioned in the schedule shall be repealed to the extent specified in the third column thereof.

(*2*) But all rules and appointments made, directions given and orders issued under any of these enactments shall, so far as they are consistent with this Act, be deemed to have been respectively made, given, and issued under this Act.

(*3*) Any enactment or document referring to any of these enactments shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof.

Definitions.

3. In this Act—

(*1*) "prison" means any central or district or temporary gaol or house of correction or penitentiary, and includes all grounds or buildings appurtenant to or occupied for the use of the prison, but does not include a subsidiary gaol or a place (other than a gaol) specially appointed by the Local Government under section 541 of the Code of Criminal Procedure, 1882, except as to any of the provisions of this Act or the rules made under it which may have been extended to such gaol or place by rule made under section 58:

(*2*) "a subsidiary gaol" means a gaol not being a central or district goal, in which only civil or unconvicted criminal prisoners or convicted criminal prisoners under a sentence not exceeding a period to be fixed in the case of each such gaol by the Local Government are confined, except when it is necessary to detain prisoners with longer sentences in a subsidiary gaol pending removal to a central or district gaol or as convict officers or menials:

(*3*) "criminal prisoner" means any prisoner charged with or convicted of an offence or confined under the provisions of the Code of Criminal Procedure, 1882, or by order of a Court-martial:

(*4*) "convicted criminal prisoner" means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in prison under the provisions of Chapter VIII of the Criminal Procedure Code, 1882:

(*5*) "civil prisoner" means any prisoner who is not a criminal prisoner as defined above;

(*6*) "remission system" means the rules for the time being in force regulating the award of marks to, and the consequent shortening of sentences of, prisoners in gaols: and

(*7*) "history-ticket" means the record to be kept by a prisoner of such information as is required in respect of such prisoner by this Act or the rules made under it.

CHAPTER II.

MAINTENANCE AND OFFICERS OF PRISONS.

Accommodation for prisoners.

4. The Local Government shall provide, for the prisoners in the territories under such Government, accommodation in prisons constructed and regulated in such manner as to comply with the requisitions of this Act in respect of the separation of prisoners.

Temporary accommodation for prisoners.

5. (*1*) Whenever it appears to the Inspector General of Prisons that the number of prisoners in any prison is greater than can conveniently or safely be kept therein, and it is not convenient to transfer the excess number to some other prison,

or whenever from the outbreak of epidemic disease within any prison, or for any other reason, it is desirable to provide for the temporary shelter and safe custody of any prisoners,

provision shall be made, by such officer and in such manner as the Local Government may from time to time direct, for the temporary shelter and safe custody of so many of the prisoners as cannot be conveniently or safely kept in the prison.

(*2*) Prisoners for whom such temporary shelter is provided shall be subject to the same rules as if they were within the prison.

Inspector General of Prisons.

6. An Inspector General of Prisons shall be appointed for the territories subject to each Local Government, and shall exercise, subject to the order of the Local Government, the general control and superintendence of all prisons situate in the territories under such Government:

Provided always that civil gaols in the Presidency of Bombay shall continue to be managed under the provisions of sections 8 to 16 of Bombay Act II of 1874.

The Prisons Bill.

(Chapter II.—Maintenance and Officers of Prisons.—Section 7. Chapter III.—Duties of Officers.—Sections 8-17.)

Officers of prisons.

7. For every prison there shall be a Superintendent, a Medical Officer (who may also be the Superintendent), a Gaoler and such other officers as the Local Government thinks necessary :

Provided that in the Presidency of Bombay it shall be competent to the Local Government to declare that in certain prisons the office of Gaoler shall be held by the person appointed Superintendent.

CHAPTER III.

DUTIES OF OFFICERS.

Generally.

Control, and duties of officers of prisons.

8. All officers of a prison shall obey the directions of the Superintendent; all subordinate officers shall perform such duties as may be directed by the Gaoler with the sanction of the Superintendent; and the duties of each subordinate officer shall be inserted in a book to be kept by such officer.

Officers not to sell, etc., to prisoners.

9. No officer of a prison shall sell or let, nor shall any person in trust for or employed by him sell or let, or derive any benefit from selling or letting, any article to any prisoner.

Officers not to contract, etc.

10. No officer of a prison shall, nor shall any person in trust for or employed by him, have any interest, direct or indirect, in any contract for the supply of the prison: nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any article on behalf of the prison or belonging to a prisoner.

Superintendent.

Superintendent.

11. (1) Subject to the orders of the Inspector General of Prisons, the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control.

(2) Subject to such directions as may from time to time be given by the Local Government, the Superintendent of a prison other than a central gaol or a prison situate in a Presidency-town shall obey all lawful orders respecting the prison given by the District Magistrate, and shall report to the Inspector General all such orders and the action taken thereon.

Medical Officer.

Duties of Medical Officer.

12. The Medical Officer shall have charge of the sanitary administration of the prison, and shall perform such duties as may be prescribed by rules made by the Local Government under section 59.

Medical Officer to report in certain cases.

13. Whenever the Medical Officer has reason to believe that the mind of a prisoner is, or is likely to be, injuriously affected by the discipline or treatment to which he is subjected, the Medical Officer shall report the case in writing to the Superintendent, together with such observations as the Medical Officer thinks proper.

Report on death of prisoner.

14. On the death of any prisoner, the Medical Officer shall forthwith record in writing the following particulars, namely:—

(1) when the deceased was taken ill,

(2) when the Medical Officer was first informed of the illness,

(3) the nature of the disease,

(4) when the prisoner died, and

(5) (in cases where a *post-mortem* examination is made) an account of the appearances after death,

together with any special remarks that appear to the Medical Officer to be required.

Gaoler.

Gaoler.

15. (1) The Gaoler shall reside in the prison, unless the Superintendent permits him in writing to reside elsewhere.

(2) The Gaoler shall not, without the Inspector General's sanction, be concerned in any other employment.

Gaoler to give notice of death of prisoner.

16. Upon the death of a prisoner, the Gaoler shall give immediate notice thereof to the Superintendent and the Medical Officer.

Gaoler to keep records.

17. The Gaoler shall keep, or cause to be kept, the following records:—

(1) a register of prisoners admitted;

(2) a book showing when each prisoner is to be released;

(3) a punishment-book for the entry of the punishments inflicted on prisoners for prison-offences;

The Prisons Bill.

(Chapter III.—Duties of Officers.—Sections 18–22. Chapter IV.—Admission, Removal and Discharge of Prisoners.—Sections 23-25. Chapter V.—Discipline of Prisoners.—Section 26.)

(*4*) a visitors' book for the entry of any observations made by visitors to the prison ;

(*5*) a record of the money and other articles taken from prisoners ;

and all such other records as may be prescribed by rules made under section 58 or section 59.

Responsibility of Gaoler.

18. The Gaoler shall be responsible for the safe custody of the records to be kept by him under section 17, for the commitment warrants and all other documents confided to his care, and also for the money and other articles taken from prisoners.

Gaoler to be present at night.

19. The Gaoler shall not be absent from the prison for a night without permission in writing from the Superintendent; but, if absent without leave for a night from unavoidable necessity, he shall immediately report the fact and the cause of it to the Superintendent.

Powers of Deputy Gaoler.

20. Where a Deputy Gaoler is appointed to a prison, he shall be competent to perform any duty required by this Act or by any rule made under section 58 or section 59 to be performed by the Gaoler.

Subordinate Officers.

Duties of gate-keeper.

21. The officer acting as gate-keeper, or any other officer of the prison, may examine anything carried in or out of the prison, and may stop and search any person suspected of bringing in spirits or other prohibited articles into the prison, or of carrying out any property belonging to the prison, and, if any such articles or property be found, shall give immediate notice thereof to the Gaoler.

Subordinate officers not to be absent without leave.

22. Subordinate officers shall not be absent from the prison without leave from the Superintendent or from the Gaoler, and before absenting themselves they shall leave their keys in the Gaoler's office.

CHAPTER IV.

ADMISSION, REMOVAL AND DISCHARGE OF PRISONERS.

Prisoners to be examined on admission.

23. (*1*) When a prisoner is first admitted, and whenever he afterwards enters the prison, he shall be searched, and all weapons and prohibited articles shall be taken from him.

(*2*) Every criminal prisoner shall also, as soon as possible after admission, be examined by the Medical Officer, who shall enter in a book, to be kept by the Gaoler, a record of the state of the prisoner's health, and of any wounds or marks on his person, the class of labour he is fit for if sentenced to rigorous imprisonment, and any observations which the Medical Officer thinks fit to add.

(*3*) In the case of female prisoners the search and examination shall be carried out by the matron under the orders of the Medical Officer.

Effects of prisoners.

24. All money or other articles in respect whereof no order of a competent Court has been made, and which may be brought into the prison by any criminal prisoner, or sent to the prison for his use, shall be placed in the custody of the Gaoler.

Removal and discharge of prisoners.

25. (*1*) All prisoners, previously to being removed to any other prison, shall be examined by the Medical Officer.

(*2*) No prisoner shall be removed to any other prison, unless the Medical Officer certifies that the prisoner is free from any illness rendering him unfit for removal.

(*3*) No prisoner shall be discharged against his will from prison, if labouring under any acute or dangerous distemper, nor until, in the opinion of the Medical Officer, such discharge is without danger to himself or other persons.

CHAPTER V.

DISCIPLINE OF PRISONERS.

Segregation of prisoners.

26. The requisitions of this Act with respect to the separation of prisoners are as follows :—

(*1*) in a prison containing female prisoners as well as males, the females shall be imprisoned in separate buildings, or separate parts of the same building, in such manner as to prevent their seeing, or conversing or holding any intercourse with, the males ;

(*2*) in a prison where male prisoners under the age of eighteen are confined, means shall be provided for separating them altogether from the other prisoners and for separating those of them who have arrived at the age of puberty from those who have not ;

(*3*) unconvicted criminal prisoners shall be kept apart from convicted criminal prisoners ; and

(*4*) civil prisoners shall be kept apart from criminal prisoners.

The Prisons Bill.

(Chapter V.—Discipline of Prisoners.—Sections 27-29. Chapter VI.—Food, Clothing and Bedding of Civil and Unconvicted Criminal Prisoners.—Sections 30-32. Chapter VII.—Employment of Prisoners.—Sections 33-35.)

Rules as to separation of prisoners.

27. The Local Government shall have power to make rules—

(*1*) as to the description and construction of the cells to be used for the partial or entire seclusion of prisoners under the provisions of this Act;

(*2*) as to the time during which prisoners not guilty of offences against prison rules may be confined separately.

Solitary confinement.

28. No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison, and every prisoner confined in a cell for not less than twenty-four hours, whether as a punishment or otherwise, shall be visited at least once a day by the Medical Officer or a medical subordinate.

Prisoners under sentence of death.

29. (*1*) Every prisoner under sentence of death shall, immediately on his arrival in the prison after sentence, be searched by, or by order of, the Gaoler, and all articles shall be taken from him which the Gaoler deems it dangerous or inexpedient to leave in his possession.

(*2*) Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard.

CHAPTER VI.

FOOD, CLOTHING AND BEDDING OF CIVIL AND UNCONVICTED CRIMINAL PRISONERS.

Certain prisoners may maintain and feed themselves.

30. A civil prisoner or an unconvicted criminal prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, food, clothing, bedding or other necessaries, but subject to examination and to such rules as may be approved by the Inspector General.

Restriction on transfer of food, clothing, &c., between certain prisoners.

31. No part of any food, clothing, bedding or other necessaries belonging to any civil or unconvicted criminal prisoner shall be given or sold to any other prisoner; and any such prisoner transgressing this regulation shall lose the privilege of purchasing food or receiving it from private sources, for such time as the Superintendent thinks proper.

Supply of clothing and bedding to civil and unconvicted criminal prisoners.

32. (*1*) Every civil prisoner and unconvicted criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and bedding as may be necessary.

(*2*) When any civil prisoner has been committed to prison in execution of a decree in favour of a private person, such person, or his representative, shall be liable to pay to the Superintendent on demand the cost of the clothing and bedding so supplied to the prisoner; and in default of such payment the prisoner shall be released.

CHAPTER VII.

EMPLOYMENT OF PRISONERS.

Employments of civil prisoners.

33. (*1*) Civil prisoners may, with the Superintendent's permission, work and follow any trade or profession.

(*2*) Civil prisoners finding their own implements, and not maintained at the expense of the prison, shall be allowed to receive the whole of their earnings; but the earnings of such as are furnished with implements or are maintained at the expense of the prison shall be subject to a deduction, to be determined by the Superintendent, for the use of implements and the cost of maintenance.

Employment of criminal prisoners.

34. (*1*) No criminal prisoner sentenced to labour or employed on labour at his own desire shall, except on an emergency with the sanction in writing of the Superintendent, be so employed for more than nine hours in any one day.

(*2*) The Medical Officer shall from time to time examine the labouring prisoners while they are employed, and shall at least once in every fortnight have recorded upon the history-ticket of each prisoner employed on labour the weight of such prisoner at the time.

(*3*) When the Medical Officer is of opinion that the health of any prisoner is likely to be injured by a continuance of any kind or class of labour, he shall not be employed on such labour but shall be placed on such other kind or class of labour as the Medical Officer may consider suited for him.

Employment of criminal prisoners sentenced to simple imprisonment.

35. (*1*) Provision shall be made by the Superintendent for the employment (as long as they so desire) of all criminal prisoners sentenced to simple imprisonment.

(*2*) The Superintendent shall make rules as to the amount and nature of such employment; but no prisoner not sentenced to rigorous imprisonment shall be punished for neglect of work excepting by such alteration in the scale of diet as may be established by the rules of the prison in the case of neglect of work by such prisoners.

The Prisons Bill.

(Chapter VIII.—Health of Prisoners.—Sections 36 38. Chapter IX.—Visits to, and correspondence of, Prisoners.—Sections 39-40. Chapter X.—Offences in relation to Prisons.—Sections 41-43.)

CHAPTER VIII.

HEALTH OF PRISONERS.

36. (*1*) The names of prisoners desiring to see the Medical Officer or appearing out of health in mind or body shall be reported by the officer in immediate charge of them to the Gaoler.

Sick prisoners.

(*2*) The Gaoler shall, without delay, call the attention of the Medical Officer to any prisoner desiring to see him, or who is ill, or whose state of mind or body appears to require attention,

and shall carry into effect all lawful directions given by the Medical Officer in writing respecting alterations of the discipline or treatment of any such prisoner.

37. All directions given by the Medical Officer in relation to any prisoner, with the exception of orders for the supply of medicines or directions relating to such matters as are carried into effect by the Medical Officer himself or under his superintendence, shall be entered day by day in the prisoner's history-ticket or in such other record as the Local Government may by rule direct, and the Gaoler shall make an entry in its proper place stating in respect of each direction the fact of its having been or not having been complied with, accompanied by such observations, if any, as the Gaoler thinks fit to make, and the date of the entry.

Record of directions of Medical Officer.

38. In every prison an infirmary or proper place for the reception of sick prisoners shall be provided.

Infirmary.

CHAPTER IX.

VISITS TO, AND CORRESPONDENCE OF, PRISONERS.

39. (*1*) Due provision shall be made for the admission, at proper times and under proper restrictions, into every prison of persons with whom civil or unconvicted criminal prisoners may desire to communicate.

Visits to civil and unconvicted criminal prisoners.

(*2*) The Local Government shall regulate the communication and correspondence of prisoners with their friends in such manner as it may think necessary for the maintenance of good order and discipline.

40. (*1*) The Gaoler may demand the name and address of any visitor to a prisoner, and, when the Gaoler has any ground for suspicion, may search any visitor, or cause him to be searched, but the search shall not be made in the presence of any prisoner or of another visitor.

Gaoler may search visitors.

(*2*) In case of any such visitor refusing to permit himself to be searched, the Gaoler may deny him admission; and the grounds of such proceeding, with the particulars thereof, shall be entered in his journal.

CHAPTER X.

OFFENCES IN RELATION TO PRISONS.

41. Whoever, contrary to the rules made under section 59, brings, throws or attempts by any means whatever to introduce into any prison or any place provided under section 5 for the temporary shelter and safe custody of prisoners, or gives or attempts to give to any prisoner outside the limits of a prison, any article mentioned in the said rules,

Penalty for introduction of prohibited articles into prison and communication with prisoners.

and every officer of a prison who, contrary to such rules, knowingly suffers any such article to be introduced into any such prison or place, to be possessed by any prisoner or to be given to any prisoner outside the limits of a prison,

and whoever, contrary to such rules, communicates or attempts to communicate with any prisoner,

and whoever abets any offence made punishable by this section,

shall, on conviction before a Magistrate, be liable to rigorous imprisonment for a term not exceeding six months, or to fine not exceeding two hundred rupees, or to both.

42. When any person, in the presence of any officer of a prison, commits any offence specified in the preceding section and refuses on demand of such officer to state his name and residence, or gives a name or residence which such officer knows, or has reason to believe, to be false, such officer may arrest him, and shall without unnecessary delay make him over to a Police-officer, and thereupon such Police-officer shall proceed as if the offence had been committed in his presence.

Power to arrest for offence under section 41.

43. The Superintendent shall cause to be affixed, in a conspicuous place outside the prison or the place provided as aforesaid, a notice in English and the local Vernacular setting forth the penalties incurred by persons committing any offence under section 41.

Publication of penalties.

The Prisons Bill.

(Chapter XI.—Prison-offences.—Sections 44-45.)

CHAPTER XI.

PRISON-OFFENCES.

Prison-offences.

44. The following acts are declared to be prison-offences when committed by a prisoner:—

(*1*) such wilful disobedience to the regulations of the prison by any prisoner as shall have been declared by rules made under section 58 to be a prison offence;

(*2*) an assault or use of criminal force by any prisoner;

(*3*) the use of insulting or threatening language by any prisoner;

(*4*) immoral or indecent or disorderly behaviour by any prisoner;

(*5*) wilfully disabling himself from labour;

(*6*) contumaciously refusing to work;

(*7*) filing, cutting, altering or removing handcuffs, fetters or bars;

(*8*) wilful idleness or negligence at work by any prisoner sentenced to rigorous imprisonment;

(*9*) wilful mismanagement of work by any prisoner sentenced to rigorous imprisonment;

(*10*) wilful damage to prison property;

(*11*) tampering with or altering or defacing history-tickets, records or documents;

(*12*) receiving, possessing or transferring any articles contrary to the rules made under section 59 of this Act;

(*13*) feigning illness or concealing illness;

(*14*) wilfully bringing false accusations against any officer or prisoner;

(*15*) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape, and any attack or preparation for attack upon any prisoner or gaol official;

(*16*) conspiring to escape, or to assist in escaping, or to commit any other of the offences aforesaid.

Punishment of such offences.

45. The Superintendent may examine any person touching any such offence, and determine thereupon, and punish such offence by—

(*1*) a formal warning:

EXPLANATION.—A formal warning shall mean a warning personally addressed to a prisoner by the Superintendent and recorded in the punishment-book and on the prisoner's history-ticket;

(*2*) change of labour to some more irksome or severe form;

(*3*) hard labour for a period not exceeding seven days in the case of prisoners not sentenced to rigorous imprisonment;

(*4*) such loss of privileges admissible under the remission system for the time being in force as may be prescribed by rules made by the Governor General in Council;

(*5*) penal diet, that is, restriction of diet in such manner and subject to such conditions regarding labour as may be prescribed by the Local Government:

Provided that such restriction of diet shall in no case be applied to a prisoner for more than ninety-six consecutive hours, and shall not be repeated except for a fresh offence nor until after an interval of one week;

(*6*) solitary confinement for any period not exceeding seven days:

Provided that after each period of solitary confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to solitary or separate confinement:

EXPLANATION.—Solitary confinement means such confinement with or without labour as entirely secludes the prisoner both from sight of, and communication with, other prisoners;

(*7*) separate confinement for any period not exceeding fourteen days:

Provided that after each period of separate confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to separate or solitary confinement:

EXPLANATION.—Separate confinement means such confinement with or without labour as entirely secludes a prisoner from communication with, but not from sight of, other prisoners:

(*8*) cellular confinement for any period not exceeding six months:

EXPLANATION.—Cellular confinement means such confinement with or without labour as secludes a

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(Chapter XI.—Prison-offences.—Sections 46-51.)

prisoner from communication with, but not from sight of, other prisoners, and allows him not less than one hour's exercise per diem;

(9) penal diet as defined in clause (5) combined with solitary confinement as defined in clause (6);

(10) imposition of handcuffs of such pattern, and subject to such rules as to manner and period of imposition, as may be prescribed by rules made by the Governor General in Council;

(11) imposition of fetters of such pattern and weight, in such manner and for such period, as may be prescribed by rules made by the Governor General in Council;

(12) the substitution of gunny for clothing of other material for a period which shall not exceed three months;

(13) whipping, provided that the number of stripes shall not exceed thirty:

Provided that nothing in this section shall render any female or civil prisoner liable to the imposition of any form of handcuffs or fetters, or to whipping.

Plurality of punishments under section 45.

46. Any two of the punishments enumerated in section 45 may be awarded for any such offence in combination, subject to the following exceptions, namely:—

(1) formal warning shall not be combined with any other punishment;

(2) penal diet shall not be combined with "change of labour," nor shall any additional period of penal diet awarded singly be combined with any period of penal diet awarded in combination with solitary confinement;

(3) solitary confinement shall not be combined with separate confinement or with cellular confinement, or separate confinement with cellular confinement, so as to prolong the total period of seclusion to which the prisoner shall be liable;

(4) whipping shall not be combined with any other form of punishment except separate confinement and loss of privileges under the remission system.

Plurality of punishments under sections 45 and 46.

47. (1) The Superintendent shall have power to award any of the punishments enumerated in sections 45 and 46 of this Act, subject, in the case of cellular confinement for a period exceeding one month, to the previous confirmation of the Inspector General.

(2) No officer subordinate to the Superintendent shall have power to award any punishment whatever.

Punishments to be in accordance with foregoing sections.

48. (1) No punishment other than those specified in the foregoing sections shall be inflicted on any prisoner, and no punishment shall be inflicted on any prisoner otherwise than in accordance with the provisions of the foregoing sections.

(2) Any Gaoler or subordinate officer of a gaol contravening this section shall be held to have committed an offence punishable under section 53 of this Act.

Medical Officer to certify to fitness of prisoner for punishment.

49. (1) No punishment of penal diet, either singly or in combination, or of whipping, shall be executed until the prisoner awarded such punishment has been examined by the Medical Officer, who, if he considers the prisoner fit to undergo the punishment awarded, shall certify accordingly in the appropriate column of the punishment-book prescribed in section 17.

(2) If he considers the prisoner unfit to undergo the punishment awarded, he shall in like manner record his opinion in writing and shall state whether the prisoner is absolutely unfit for punishment of the kind awarded, or whether he considers any modification necessary.

(3) In the latter case he shall state what extent of punishment he thinks the prisoner can undergo without injury to his health.

Entries in punishment-book.

50. (1) In the punishment-book prescribed in section 17 of this Act there shall be recorded, in respect of every punishment inflicted, the prisoner's name, register number and the class (whether habitual or not) to which he belongs, the offence of which he was guilty, the date on which such offence was committed, the number of previous offences recorded against the prisoner, and the date of his last offence, the punishment awarded, and the date of infliction.

(2) In the case of every serious offence, the names of the witnesses proving the offence shall be recorded, and, in the case of offences for which whipping is awarded, the Superintendent shall record the substance of the evidence of the witnesses, the defence of the prisoner, and the finding with the reasons therefor.

(3) Against the entries relating to each punishment the Gaoler and Superintendent shall affix their initials as evidence of the correctness of the entries.

Procedure on committal of heinous offence.

51. If any prisoner is guilty of any offence against gaol discipline which, by reason of his having frequently committed such offences or

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(Chapter XI.—Prison-offences.—Sections 52-54. Chapter XII.—Miscellaneous.—Sections 55-58.)

otherwise, in the opinion of the Superintendent. is not adequately punishable by the infliction of any punishment awardable by himself under this Act, the Superintendent may forward such prisoner to the Court of the District Magistrate or of any Magistrate of the first class having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon inquire into and try the charge so brought against the prisoner, and, upon conviction, may sentence him to imprisonment of either description which may extend to one year, such term to be in addition to any term for which such prisoner was undergoing imprisonment when he committed such offence, or may sentence him to any of the forms of punishment specified in sections 45 and 46 of this Act:

Provided that no person shall be punished twice for the same offence.

Whipping.

52. (1) No punishment of whipping shall be inflicted in instalments, or except in the presence of the Superintendent and Medical Officer or medical subordinate.

(2) Whipping shall be inflicted with a light ratan not less than half an inch in diameter on the buttocks, and in case of prisoners under the age of sixteen it shall be inflicted with a lighter ratan in the same manner.

Punishment of officers of gaol.

53. (1) Every Gaoler or subordinate officer of a prison ill-treating any prisoner, or wilfully violating or neglecting any provision of this Act or any rule made under section 58 or section 59, shall be liable, under the orders of the Superintendent or Inspector General, to fine not exceeding three months' pay.

(2) Any fine imposed under this section may be recovered, either by deductions from the officer's salary, or under the law for the time being in force for the recovery of fines.

Offences by officers of gaol.

54. (1) Every Gaoler or subordinate officer of a prison who shall be guilty of any violation of duty or wilful breach or neglect of any rule or regu'ation or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission, or without having given previous notice in writing of his intention for the period of two months, or who shall engage without authority in any employment other than his gaol duty, or who shall be guilty of cowardice, or who shall offer any personal violence not warranted by the circumstances to any person in his custody, shall be liable, on conviction before a Magistrate, to a penalty not exceeding two hundred rupees, or to imprisonment, with or without hard labour, for a period not exceeding three months, or to both.

(2) No person shall, under this section or section 53, be punished twice for the same offence.

CHAPTER XII.

MISCELLANEOUS.

Confinement in irons.

55. Whenever the Superintendent considers it necessary (with reference either to the state of the prison or the character of the prisoners) for the safe custody of any prisoners that they should be confined in irons, he may, subject to such rules and instructions as may be laid down by the Inspector General with the sanction of the Local Government, so confine them.

Confinement of prisoners under sentence of transportation in irons.

56. (1) Prisoners under sentence of transportation shall, subject to any rules made under section 59, be confined in fetters for the first three months after admission to prison.

(2) Should the Superintendent consider it necessary, either for the safe custody of the prisoner himself or for any other reason, that fetters should be retained on any such prisoner for more than three months, he shall apply to the Inspector General of Prisons for sanction to their retention for the period for which he considers their retention necessary, and the Inspector General may sanction such retention accordingly.

Prisoners not to be ironed by Gaoler except under necessity.

57. No prisoner shall be put in irons or under mechanical restraint by the Gaoler of his own authority, except in case of urgent necessity, in which case notice thereof shall be forthwith given to the Superintendent.

Power to make rules.

58. The Governor General in Council may for any part of British India, and each Local Government with the previous sanction of the Governor General in Council may for the territories uuder its administration, make rules consistent with this Act—

(1) defining the acts which shall constitute prison offences;

(2) determining the classification of such offences into serious and minor offences;

(3) fixing the punishments admissible under this Act which shall be awardable for commission of such offences or classes of offences;

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(*Chapter XII.—Miscellaneous.—Sections 59-61.*)

(*4*) declaring the circumstances in which acts constituting both a prison-offence and an offence under the Indian Penal Code may or may not
1860. be dealt with as a prison-offence ;

(*5*) for the award of marks and the shortening of sentences ;

(*6*) authorising the use of arms against any prisoner or body of prisoners in the case of an outbreak or attempt to escape ;

(*7*) extending any or all of the provisions of this Act and of any rules made thereunder to subsidiary gaols, or special places of confinement appointed under section 541 of the Code of Criminal Procedure, 1882,
1882. and to the officers in charge thereof.

59. (*1*) The Local Government may, subject to the control of the Governor General in Council, make rules consistent with this Act—

Power of Local Government to make rules.

(*1*) for the government of prisons and for the guidance of all officers appointed under this Act ;

(*2*) as to the food, bedding and clothing of criminal prisoners and of civil prisoners maintained otherwise than at their own cost ;

(*3*) for the employment and control of convicts within or without prisons, and for the guidance of the guards in charge of such convicts ;

(*4*) for defining articles the introduction of which into prisons without due authority is prohibited ;

(*5*) for the classification of the forms of labour ;

(*6*) for regulating the manner in which the proceeds of the employment of prisoners shall be disposed of ;

(*7*) for regulating the confinement in fetters of prisoners sentenced to transportation ;

(*8*) for the classification and the separation of prisoners ;

(*9*) for the preparation and maintenance of history-tickets ;

(*10*) for the selection and appointment of prisoners as officers of prisons ;

(*11*) for rewards for good conduct ;

(*12*) for regulating the transfer or removal of prisoners from one prison or place to another ;

(*13*) for the treatment, transfer and disposal of criminal lunatics or recovered criminal lunatics confined in prisons ;

(*14*) for regulating the transmission of appeals and petitions from prisoners ;

(*15*) for the appointment and guidance of visitors of prisons ; and

(*16*) generally, in regard to the admission, custody, employment, dieting, treatment and release of prisoners, and for other purposes consistent with this Act.

(*2*) Copies of such rules, so far as they affect the government of prisons, shall be exhibited in some place to which all persons employed within a prison have access.

60. All rules now in force relating to any of the matters mentioned in sections 12, 27, 35, 55, 56, 58 and 59 shall, so far as such rules are consistent with this Act, be deemed to have been made under those sections respectively, and the existing officers of prisons shall be deemed to have been appointed under this Act.

Validation of certain existing rules.

61. All or any of the powers and duties conferred and imposed by this Act on a Superintendent may be exercised and performed by such other officer as the Local Government may from time to time appoint in this behalf other by name or by his official designation.

Exercise of powers of Superintendent.

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(The Schedule.)

THE SCHEDULE.

ENACTMENTS REPEALED.

(See section 2.)

Year.	No.	Title or short title.	Extent of repeal.
		Acts of the Governor General in Council.	
1856 .	VIII .	An Act for the better control of the jails within the Presidency of Bombay.	So much as has not been repealed.
1870 .	XXVI .	Prisons Act, 1870	So much as has not been repealed.
1874 .	XV .	Laws Local Extent Act, 1874 . . .	So much of Part (b) of the third schedule as relates to Act VIII of 1856.
1878 .	XIV .	An Act to assimilate certain powers of the Local Governments of the North-Western Provinces and Oudh.	Section 2.
1886 .	XX .	Upper Burma Laws Act, 1886 . . .	So much as relates to Act XXVI of 1870.
1891 .	XII .	Repealing and Amending Act, 1891 . .	So much of the second schedule as relates to Acts VIII of 1856 and XXVI of 1870.
		Acts of the Governor of Fort St. George in Council.	
1869 .	V .	Madras Jails Act, 1869	So much as has not been repealed.
1882 .	VII .	Madras Jails Act Amendment Act, 1882 .	The whole.
1889 .	II .	An Act to amend the Madras Jails Act, 1869.	The whole.
		Acts of the Governor of Bombay in Council.	
1874 .	II .	An Act for the regulation of Jails in the City and Presidency of Bombay, and the enforcement of discipline therein.	So much as has not been repealed.
1882 .	II .	An Act to amend Bombay Act II of 1874 .	The whole.
1883 .	IV .	An Act to amend the Law concerning the confinement of civil prisoners liable to imprisonment under the Criminal Procedure Code.	The whole.
1887 .	I .	An Act to further amend Bombay Act II of 1874.	The whole.
		Acts of the Lieutenant-Governor of Bengal in Council.	
1864 .	II .	An Act for the regulation of Jails and the enforcement of discipline therein.	So much as has not been repealed.
1865 .	V .	An Act to amend Act II of 1864, passed by the Lieutenant-Governor of Bengal in Council, and to extend the provisions thereof to the Presidency Jail.	So much as has not been repealed.

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(*The Schedule.*)

THE SCHEDULE—*contd.*

Year.	No.	Title or short title.	Extent of repeal.
Regulations made under the Statute 33 Victoria, Chapter 3.			
1872	III	Santhal Parganas Settlement Regulation	So much of the schedule (as amended by Regulation III of 1886), as relates to Bengal Acts II of 1864 and V of 1865.
1874	IX	Arakan Hill District Laws Regulation, 1874	So much as relates to Act XXVI of 1870.
1875	II	Assam Prisons Regulation, 1875	The whole.
1890	I	British Baluchistan Laws Regulation, 1890	So much as relates to Act XXVI of 1870.

STATEMENT OF OBJECTS AND REASONS.

THERE are at present four different Acts in force for the regulation of jails in British India and for the enforcement of discipline therein. These Acts differ *inter se* in various important points, namely, as to the jail-offences enumerated in them, as to the punishments which might be inflicted for these offences, and as to the authorities competent to inflict these punishments. In consequence divergent systems of jail management have grown up in the several Provinces, whereby there has been a sacrifice of that uniform enforcement of sentences of imprisonment which effective general administration requires. The object of this Bill is to repeal the four local Acts and to prescribe a uniform system of prison management in India.

2. The Bill is mainly based on Act XXVI of 1870 (*an Act to amend the law relating to Prisons*), which is in force in the North-Western Provinces and Oudh, the Punjab, the Central Provinces, Coorg and Burma, with amendments embodying the conclusions arrived at by the Government of India on the Report of the Jail Committee of 1889 and the Report of the Prison Conference of 1892, as stated in the Resolution recorded in the Home Department of the 9th November, 1892, and in the Circular letter to Local Governments and Administrations, dated the 25th March, 1893, to which it appeared necessary to give legislative form.

3. The details of the Bill which appear to call for remark are noticed in this paragraph.

Section 3 provides for clearer definitions of the terms "prison," "subsidiary gaol," "criminal prisoner," "convicted criminal prisoner," and "civil prisoner," and adds definitions of the terms "remission system" and "history-tickets".

Section 11.—The powers of a District Magistrate to issue orders to the Superintendent of a prison have been restricted to prisons other than central gaols or prisons situated in a Presidency-town.

Section 12.—The sanitary administration of a prison has been vested in the Medical Officer.

Section 23.—An addition has been made to this section, which provides a useful precaution against false charges of police torture or the means of detecting such mal-practices, if committed. It also makes separate provision for the search and examination of female prisoners after admission into prison.

Section 26 makes provision for the separation of juveniles who have arrived at the age of puberty from those who have not.

Section 28 requires the Medical Officer or a subordinate Medical Officer to visit each prisoner confined in cells at least once a day.

Section 34 restricts the employment of criminal prisoners sentenced to labour to nine hours in any one day, except on an emergency, and then only with the sanction in writing of the Superintendent. With the view of watching more closely the health of prisoners, this section provides for recording the weight of criminal prisoners at least once a fortnight upon their history-tickets, and places upon the Medical Officer the responsibility of seeing that a prisoner's health is not injured by the work on which he is employed.

Section 44.—This section follows the general principles embodied in the existing Prisons Acts (themselves based upon English legislation) and includes in the law itself a statement of the most important jail-offences. A few additional offences which seemed of sufficient importance have been included in this section, but it is still necessary to reserve the power of making rules the breach of which involve penal consequences, since every breach of a jail regulation is a jail offence, and it is not possible to include in the Act all the regulations which have to be observed in jails or expedient to make legislation necessary for the purpose of adding to or altering them. In order to provide for the equal treatment of prisoners throughout India, however the first clause of this section, relating to prison regulations generally, has been restricted by providing that, to make disobedience to such regulations punishable, the rules creating offences must be sanctioned by the Governor General in Council.

Section 45.—Hitherto there have been in use in jails, besides the punishments prescribed in the existing laws, other forms of punishments, consisting in the modification, to the disadvantage of a prisoner, of matters of discipline or treatment left to the discretion of the executive, such as loss of marks, relegation to a disagreeable form of labour, modifi-

cation of diet, forfeiture of privileges, etc In order, however, to prevent the introduction of objectionable forms of punishment and to secure the due record of all punishments of whatever nature, it has been considered desirable to specify exhaustively all the forms of punishment which may be resorted to; and while the section retains those forms of punishment which are laid down in the present law, clauses (*1*), (*2*), (*4*) and (*5*) introduce into it the descriptions of punishment which have hitherto prevailed at the discretion of the executive. In some of the remaining clauses modifications have also been made. Clauses (*6*), (*7*) and (*8*) distinguish between the different degrees of solitary, separate and cellular confinement which may be used as a punishment and are borrowed from Provincial Jail Codes where they have been found successful Clause (*9*) provides for the combination of penal diet and solitary confinement; the maximum period for which penal diet may (under clause (*5*)) be imposed at one time is entered at ninety-six hours instead of seventy-two hours as in section 48 (*2*) of the Act of 1870, but this is in accordance with the law in force in Bombay (Bombay Act II of 1874, section 35, proviso) and has met with general approval. Clauses (*10*) and (*11*) relate to the imposition of irons as a punishment, which under the Act of 1870 can in other Provinces than Bengal only be ordered by the Magistrate under section 49 of the Act of 1870. The restrictions which have of late years been placed on the employment of corporal punishment, and the objections to the frequent use of penal diet, make it necessary to invest Superintendents with some additional means of coercion for the control of unruly and hardened criminals. Clause (*12*) adds a minor punishment which has been found useful in Bengal in connection with thefts and destruction of prison clothing. Female and civil prisoners are specially excluded from the punishments of handcuffs or fetters and from whipping.

Sections 46 to 50 have been recommended by the Conference of experts on jail management from all Provinces who were convened by the Government of India in the early part of 1892 for the purpose of preparing an amended and consolidated Prisons Bill for all India.

Section 51 reproduces the section bearing number 49 in the Act of 1870, but the period of additional imprisonment which may be ordered by the Magistrate after judicial trial has been increased from six months to one year. It also provides that the Court may resort to any of the ordinary forms of jail punishment as it thinks fit, to meet the case of a Magistrate taking a different view from the Superintendent of the gravity of the prisoner's offence.

Section 54 is borrowed from the Police Act, V of 1861, section 29, and is likely to prove a useful provision.

Sections 55 and 56.—These sections are based on the rules in force in Madras and have been accepted generally by Local Governments and Administrations.

Sections 58 and 59.—These sections make provision for framing the necessary rules for regulating the matters which are left by the previous sections of the Bill to be dealt with by such rules.

A. P. MACDONNELL.

The 11th January, 1894.

J. M. MACPHERSON,
Deputy Secretary to the Government of India.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to impose on the public generally the obligation to give notice of the commission of, or intention to commit, the crimes of unlawful assembly and rioting of which they may have knowledge; to include village-accountants where they are established among the officers who, by section 45, Criminal Procedure Code, are bound to give information to the authorities; and to include among the subjects of which information is to be given unlawful assemblies, rioting and generally matters touching the maintenance of the peace and the prevention of crime. It is considered that all persons having knowledge should help the authorities to prevent disturbances of the public peace. The village-accountants have special facilities for acquiring such knowledge, and should, it is thought, be bound to communicate it to the Magistrate or the Police.

Power is taken to enable the Magistrate to appoint a village-headman for the purposes of the Bill where none is appointed under any other law.

The 15th February, 1894.

A. P. MACDONNELL.

S. HARVEY JAMES,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 15, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 1st March, 1894:—

No. 4 OF 1894.

THE INDIAN TARIFF BILL.

CONTENTS.

A Bill to amend the law relating to Customs-duties, and for other purposes.

Preamble.

WHEREAS it is expedient to amend the law relating to the duties of customs on goods imported and exported by sea, and to provide for the levy of duties on goods crossing the frontier of certain Foreign European Settlements in India and of the territories of certain Native Chiefs;

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Tariff Act, 1894.

Local extent. Commencement.

It extends to the whole of British India except Aden and Perim; and it shall come into force on the passing thereof.

Repeal of Act.

2. The Acts mentioned in the first schedule are repealed to the extent specified therein.

Saving clause.

But all notifications published, and rules and orders made, under any of such Acts, and now in force, shall, so far as they are consistent herewith, be deemed to have been respectively published and made hereunder:

I of 1875. of 1882. All references made to the Indian Tariff Act, 1875, and the Indian Tariff Act, 1882, in Acts or Regulations passed before this Act comes into force, shall be deemed to be made to this Act:

And nothing herein contained authorizes the levy of duties of customs on any article carried from one port in British India to another, except salt, opium and spirit.

Duties specified in schedules to be levied.

3. There shall be levied and collected, in every port to which this Act applies, the duties specified in the second, third, fourth and fifth schedules hereto annexed.

Export of pepper from Cochin.

4. On all pepper exported by sea from the port of Cochin there shall be levied such duty not exceeding nine rupees per khandi as the Governor of Fort Saint George in Council from time to time determines; and at the close of each year, or as soon thereafter as may be convenient, the Customs-Collector at the said port shall, after deducting the expenses of collection, pay the duty collected under this section to the Governments of Travancore and Cochin in such proportion and in such manner as the Governor of Fort Saint George in Council from time to time directs.

Duties on goods crossing frontiers—

5. Duties of customs shall be levied at the rates respectively prescribed in the second, third, fourth and fifth schedules hereto annexed on goods passing by land out of or into—

of Foreign European Settlements in Presidencies of Madras and Bombay:

(*a*) Foreign European Settlements bordering on any part of the territories administered by the Governor of Fort Saint George in Council or by the Governor of Bombay in Council;

of foreign territory.

(*b*) any territory declared, under the power next hereinafter conferred, to be foreign territory.

Power to declare territory foreign.

Subject to the control of the Governor General in Council, the Governor of Fort Saint George in Council and the Governor of Bombay in Council may, from time to time, by notification in the local official Gazette, respectively declare that the territory of any Native Chief situate within, or bordering on, the territories respectively administered by such Governors, but not subject to the jurisdiction of the Courts and Civil authorities of such territories, shall be deemed, for the purposes of this section, to be foreign territory.

The Governor General in Council may, from time to time, by notification in the Gazette of India, declare that the territory of any other Native Chief shall be deemed, for the purposes of this section, to be foreign territory.

Amendment of Act XVI, 1863, section 1.

6. In Act No. XVI of 1863, section 1, for the words "calculated at ten" the words "not exceeding five" shall be substituted. XVI of

Duty on spirit, opium and salt when protected by a certificate.

7. Spirit, opium and salt imported from any port in British India, and protected by the certificate of an officer empowered in that behalf by the Governor General in Council or the Local Government, are chargeable with only the amount, if any, by which the duty leviable thereon under the second schedule hereto annexed exceeds the duty shown by such certificate to have been already paid in respect thereof.

The amount, if any, paid to the Government as the price of such opium or salt is not duty within the meaning of this section.

Nothing in this section applies to spirit which is exported under bond for excise-duty from one customs-port to another customs-port under the provisions of Chapter XIV of the Sea Customs Act, 1878. VIII of

Application of certain provisions as to duties and goods.

8. So far as regards the Presidency of Fort Saint George the unrepealed provisions of Act No. VI of 1844, and, so far as regards the Presidency of Bombay, the unrepealed provisions of Act No. XXIX of 1857, relating to the levy of duties and to dutiable goods, shall, *mutatis mutandis*, apply to duties levied and goods liable to duty under or by virtue of section 5, clause (*b*).

Power to cancel notifications.

9. All notifications published hereunder may be cancelled by the authority publishing the same.

When contracts have been entered into, amount of increased or decreased duty to be added or deducted.

10. In the event of any duty of customs or excise on any article being imposed, increased, decreased or remitted after the making of any contract for the sale of such article without stipulation as to the payment of duty where duty was not chargeable at the time of the making of the contract, or for the sale of such article duty-paid where duty was chargeable at that time,—

(*a*) if such imposition or increase so takes effect that the duty, or increased duty, as the case may be, is paid, the seller may add so much to the contract price as will be equivalent to the duty or increase of duty, and he shall be entitled to be paid and to sue for and recover such addition, and

(*b*) if such decrease or remission so takes effect that the decreased duty only or no duty, as the case may be, is paid, the purchaser may deduct so much from the contract-price as will be equivalent to the decrease of duty or remitted duty, and he shall not be liable to pay or be sued for or in respect of such deduction.

Amendment of Act VIII of 1878, s. 23, 2nd paragraph.

11. In the first line of the 2nd paragraph of section 23 of the Sea Customs Act, VIII of 1878, the words "with the previous sanction of the Governor General in Council" shall be inserted after the word "may."

SCHEDULE I.

ACTS REPEALED.

Number and year.	Short Title.	Extent of Repeal.
XI of 1882	The Indian Tariff Act, 1882	The whole.
I of 1892	An Act to amend the Indian Tariff Act, 1882	"
IX of 1893	" " "	"

SCHEDULE II.—(IMPORT TARIFF.)

Arms, Ammunition and Military Stores, including in addition to the articles specifically mentioned in this Schedule,

(*a*) all articles which are either "arms" or "ammunition" within the meaning of the Indian Arms Act, XI of 1878, and

(*b*) any articles which the Governor General in Council may from time to time, by notification in the Gazette of India, declare to be "Military Stores" for the purposes of this Act.

Names of Articles.	Duty. R	a.
FIREARMS AND PARTS THEREOF—		
1. Firearms other than pistols, for each	50	0
2. Barrels for the same, whether single or double, for each	30	0
3. Pistols, for each	15	0
4. Barrels for the same, whether single or double, for each	10	0
5. Springs used for firearms, for each	8	0
6. Gunstocks, sights, blocks and rollers, for each	5	0
7. Revolver-breeches, for each cartridge they will carry	2	8
8. Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb-pieces, triggers, trigger-guards, hammers, pistons, plates, and all other parts of a firearm not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each	1	8
9. Machines for making or loading or closing cartridges, or each	10	0
10. Machines for capping cartridges, for each	2	8

Exception I.—Articles falling under the 5th, 6th, 8th, 9th, or 10th head of the foregoing list, when they appertain to a firearm falling under the 1st or 3rd head, and are fitted into the same case with such firearm, are free.

Exception II.—Arms forming part of the regular equipment of an officer entitled to wear diplomatic, military, or police uniform, and a revolver or a pair of pistols accompanying a military officer, are free.

Proviso 1.—No duty in excess of ten per cent. *ad valorem* shall be levied upon any of the articles mentioned in the foregoing list, when they are imported in reasonable quantity, for his own private use, by any person lawfully entitled to possess the same.

Proviso 2.—When any articles which have been otherwise imported, and upon which duty has been levied or is leviable under this number, are purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs-Collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of ten per centum *ad valorem*; and if such Collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such refund or remission, he shall grant the same accordingly.

	Tariff valuation.	Rate of duty.
11. Gunpowder, common, per ℔	0 5	10 per cent.
" sporting, "	1 0	10 per cent.
12. All other sorts of arms, ammunition, and military stores	*ad valorem.*	10 per cent.

SCHEDULE III.—(IMPORT TARIFF.)

LIQUORS, OPIUM, SALT, AND SALTED FISH.

No.	Names of Articles.	Per	Rate of duty.
			R a.
1	LIQUORS—		
	Ale, beer, and porter	Imperial gallon or six quart bottles.	0 1
	Cider and other fermented liquors . .	Imperial gallon or six quart bottles.	0 1
	Liqueurs	"	6 0
	Spirit intended to be used exclusively in arts or manufactures, or in chemistry, and which has been rendered effectually and permanently unfit for human consumption.	......	Five per cent. *ad valorem.*
	Spirit when used in drugs, medicines, or chemicals in a proportion of less than twenty per cent. of spirit of the strength of London proof.	......	Five per cent. *ad valorem.*
	Spirit when so used in a proportion of twenty per cent. and upwards. .	Imperial gallon or six quart bottles of the strength of London proof.	6 0 and the duty to be increased or reduced in proportion as the strength of the spirit exceeds or is less than London proof.
	Spirit, perfumed, in wood or in bottles .	Imperial gallon or six quart bottles.	8 0
	Spirit, other sorts	Imperial gallon or six quart bottles of the strength of London proof.	6 0 and the duty to be increased or reduced in proportion as the strength of the spirit exceeds or is less than London proof.
	Wines—		
	Champagne and all other sparkling wines not containing more than 45 per cent. of proof spirit . .	Imperial gallon or six quart bottles.	2 8
	Champagne and all other sparkling wines containing more than 45 per cent. of proof spirit	"	6 0
	All other sorts of wines not containing more than 45 per cent. of proof spirit	"	1 0
	All other sorts of wines containing more than 45 per cent. of proof spirit .	"	6 0
2	OPIUM, not covered by a Government pass .	ser of 80 tolas . .	24 0
3	SALT	Indian maund of 82 2/7 lb avoirdupois weight.	The rate at which excise duty is for the time being leviable on salt manufactured in the place where the import takes place.
4	SALTED fish, wet (*ngapi*) or dry . . .	"	Such rate or rates of duty not exceeding twelve annas, as the Governor General in Council may, by notification in the *Gazette of India*, from time to time prescribe.

SCHEDULE IV.—(IMPORT TARIFF.)

GENERAL DUTIES.

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Articles of Food and Drink.		R a.	
1	COFFEE	cwt.	65 0	Five per cent.
2	FRUITS AND VEGETABLES—			
	Almonds without shell	,,	40 0	,,
	,, in the shell	,,	13 0	,,
	Cashew or cajoo kernels	,,	12 0	,,
	Cocoanuts	thousand	40 0	,,
	,, kernel (khopra)	cwt.	9 0	,,
	Currants, European	,,	35 0	,,
	,, Persian	,,	12 0	,,
	Dates, dry, in bags	,,	5 0	,,
	,, wet ,,	,,	4 0	,,
	,, ,, in pots and boxes	,,	8 0	,,
	Figs, European	,,	42 0	,,
	,, Persian, dried	,,	6 8	,,
	Garlic	,,	5 0	,,
	Pistachio nuts	,,	25 0	,,
	Prunes, Bussora (álu Bokhara)	,,	10 0	,,
	Raisins, black, Persian Gulf, Red Sea and Kishmish	,,	12 0	,,
	,, Munakka, Persian Gulf, and Red Sea	,,	10 0	,,
	,, Malaga and bloom	lb	0 10	,,
	,, Other sorts	......	*ad valorem*	,,
	Walnuts	cwt.	6 0	,,
	All other sorts, except fresh fruits and vegetables not separately enumerated, which are free	......	*ad valorem*	,,
3	PROVISIONS, OILMAN'S STORES, AND GROCERIES—			
	Bacon in cans, jowls and cheeks	lb	0 12	,,
	Beef and pork	{ tierce of three cwt.	75 0	,,
		{ barrel of two cwt.	50 0	,,
	Biche de mer	cwt.	50 0	,,
	Butter	lb	1 0	,,
	Cheese	lb	0 12	,,
	China preserves	box of six jars	8 0	,,
	Fish-maws	cwt.	100 0	,,
	Flour	barrel or sack of 200 lb	20 0	,,
	Ghi	cwt.	40 0	,,
	Groceries not otherwise described	......	*ad valorem*	,,
	Pork hams	lb	0 12	,,
	Sago	cwt.	10 0	,,
	Shark-fins	,,	30 0	,,
	Singally and Sozille	,,	15 0	,,
	Tapioca	,,	12 0	,,
	Vinegar, European, in wood	Imperial gallon	1 0	,,
	,, Persian	,,	1 0	,,
	,, Country	,,	0 6	,,
	All other sorts of Provisions, Oilman's Stores, and Groceries	......	*ad valorem*	
4	SPICES—			
	Aniseed, star	cwt.	25 0	,,
	Betelnuts—Goa	,,	14 0	,,
	,, —in the husk	thousand	2 0	,,
	,, —white, srivarddhan	cwt.	28 0	,,
	,, all other sorts	,,	7 0	,,
	Cardamoms, other than bastard	,,	250 0	,,
	Chillies, dry	,,	9 0	,,
	Cloves	,,	20 0	,,
	,, stems and heads	,,	5 0	,,
	,, in seeds, narlavang	,,	8 0	,,
	Ginger, dry	,,	20 0	,,
	Mace	lb	1 8	,,
	Nutmegs	,,	1 0	,,
	,, in shell	,,	0 10	,,
	Pepper, black and long	cwt.	16 0	,,
	,, white	,,	35 0	,,
	All other sorts of Spices	......	*ad valorem*	,,

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
			R *a.*	
	Articles of Food and Drink—concld.			Five per cent.
5	SUGAR, China, candy	cwt.	20 0	
	„ loaf	„	23 0	„
	„ soft	„	12 8	„
	„ all other sorts, including saccharine produce of all kinds and confectionery	......	*ad valorem*	„
6	TEA, black	lb	0 10	„
	„ green	„	1 4	„
	Chemicals, Drugs, Medicines and Narcotics, and Dyeing and Tanning materials.			
7	CHEMICAL PRODUCTS AND PREPARATIONS—			
	Acid, sulphuric	lb	0 2	„
	Alkali, country (sajji-khár)	cwt.	2 0	„
	Alum	„	5 0	„
	Arsenic	„	25 0	„
	„ China mansil	„	16 0	„
	Bicarbonate of soda	„	7 0	„
	Copperas, green	„	3 0	„
	Explosives, namely, blasting gelatine, dynamite, roburite, tonite, and all other descriptions	......	*ad valorem*	„
	Sal ammoniac	cwt.	30 0	„
	Sulphur (brimstone), flour	„	5 8	„
	„ („) roll	„	5 0	„
	„ („) rough	„	4 0	„
	All other sorts of chemical products and preparations	......	...	...
8	DRUGS, MEDICINES, AND NARCOTICS—			Five per cent.
	Aloes, black	cwt.	14 0	
	„ Socotra	„	25 0	„
	Aloe-wood	lb	3 0	„
	Asafœtida (hing)	cwt.	80 0	„
	„ coarse (hingrá)	„	18 0	„
	Atáry, Persian	„	15 0	„
	Brimstone (amalsára)	„	45 0	„
	Camphor, bhemsaini (baras)	lb	100 0	„
	„ refined, cake	„	1 0	„
	„ crude, in powder	„	0 12	„
	Cassia lignea	cwt.	20 0	„
	China root (chobchini), rough	„	7 0	„
	„ „ „ scraped	„	16 0	„
	Galangal, China	„	8 0	„
	Pellitory (akalkára)	„	30 0	„
	Salep	„	100 0	„
	Senna leaves	„	4 8	„
	Storax, liquid (rose melloes)	„	46 0	„
	Tobacco, manufactured and unmanufactured	......	*ad valorem*	„
	All other sorts of drugs, medicines and narcotics, except Quinine, which is free, and Opium (for which see Schedule III)	......	„	„
9	DYEING AND TANNING MATERIALS—			
	Alizarine dyes, all colours	......	*ad valorem*	„
	Aniline „ „	lb	1 8	„
	Cochineal	„	1 0	„
	Gallnuts, myrabolams	cwt.	4 8	„
	„ Persian	„	37 0	„
	Madder or manjit	„	12 0	„
	Orchilla weed	„	9 8	„
	Sappan wood and root	„	5 8	„
	All other sorts of dyeing and tanning materials	„	*ad valorem*	„
	Metals and Manufactures of Metals.			
10	AGRICULTURAL IMPLEMENTS, excluding machinery, which is free	......	*ad valorem*	„
11	HARDWARE AND CUTLERY, including ironmongery and plated-ware, but excluding machinery and the component parts of machinery, which are free	......	„	„

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Metals and Manufactures of Metals—contd.			
12	METALS, unwrought and wrought, and articles made of metals—		R a.	
	Brass, beads, ghúngri, China	thousand	1 0	Five per cent.
	„ old	cwt.	27 0	„
	„ sheets, rolls, very thin	„	75 0	„
	„ wire	lb	0 7	„
	„ all other sorts	......	*ad valorem*	„
	Copper, Australian	cwt.	40 0	„
	„ bolt	„	43 0	„
	„ brazier's and sheets	„	43 0	„
	„ China cash	„	32 0	„
	„ Japan	„	38 0	„
	„ nails and composition nails	„	43 0	„
	„ old	„	38 0	„
	„ pigs and slabs	„	38 0	„
	„ sheathing, plate, and raised bottoms	„	45 0	„
	„ tiles, ingots, cakes, and bricks	„	39 0	„
	„ china, white, copper-ware	lb	1 2	„
	„ foil or dánkpana	hundred leaves	3 0	„
	„ wire	lb	0 9	„
	„ all other sorts, unmanufactured and manufactured	......	*ad valorem*	„
	Gold leaf, European	hundred leaves	3 0	„
	„ „ China and mock	......	*ad valorem*	„
	Iron, anchors and cables	......	„	„
	„ angle and T	ton	110 0	„
	„ beams, pillars, girders, bridge-work, and other descriptions of iron imported exclusively for building purposes	......	*ad valorem*	„
	„ flat, square, and bolt, including Scotch	ton	90 0	„
	„ galvanised, other than nails	cwt.	9 8	„
	„ „ sheets and ridging	„	9 8	„
	„ hoop, plate, and sheet, other than Swedish	ton	128 0	„
	„ nails, rose, clasp, and flat-headed, rivets and washers	cwt.	11 0	„
	„ nails, other sorts, including galvanised	......	*ad valorem*	„
	„ nail-rod	ton	100 0	„
	„ old	cwt.	2 0	„
	„ pig	ton	50 0	„
	„ pipes and tubes	......	*ad valorem*	„
	„ rice bowls	set of ten	4 9	„
	„ „ „	set of six	2 9	„
	„ rod, round, other than Swedish, not exceeding half an inch in diameter	ton	100 0	„
	„ rod, round, other than Swedish, exceeding half an inch in diameter	„	90 0	„
	„ Swedish, flat, square, and bolt	„	145 0	„
	„ „ nail rod	„	170 0	„
	„ „ round rod, not exceeding half an inch in diameter	„	180 0	„
	„ tinned plates	cwt.	10 0	„
	„ all other sorts, including wire, but excluding railway materials, which are free	......	*ad valorem*	„
	Lametta, double reels	score	4 8	„
	„ single „	„	2 4	„
	Lead, ore, galena	cwt.	12 0	„
	„ pig	„	9 8	„
	„ pipes	......	*ad valorem*	„
	„ sheets, other than sheets for tea chests, which are free	cwt.	10 0	„
	Orsidue and brass leaves, foreign, European	lb	1 2	„
	„ „ „ China	„	1 0	„
	Patent or yellow metal, sheathing, sheets and bolts	cwt.	38 0	„
	Patent or yellow metal, sheathing, sheets, and bolts, old	„	30 0	„
	Quicksilver	lb	1 6	„
	Shot, bird	cwt.	16 0	„
	Silver bullion or coin, except current coin of the Government of India, which is free	......	*ad valorem*	„
	Steel, blistered	cwt.	7 0	„
	„ British and foreign, other than Swedish	......	*ad valorem*	„
	„ Cast	... ..	...	„

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Metals and Manufactures of Metals—concld.			
12	Metals, unwrought and wrought, and articles made of metals —*concld.*		R a.	
	Steel, spring	cwt.	7 0	Five per cent.
	„ Swedish	„	13 0	„
	Steel, all other sorts, unmanufactured and manufactured, except railway materials, which are free	......	*ad valorem*	„
	Tin, block	cwt.	70 0	„
	„ foil, China	lb	0 12	„
	„ other sorts	......	*ad valorem*	„
	Zinc or spelter, nails	cwt.	21 0	„
	„ „ plates and other shapes, soft	„	10 0	„
	„ „ „ „ hard	„	13 0	„
	„ „ sheet or sheathing	„	18 0	„
	„ „ all other sorts	......	*ad valorem*	„
	All other sorts of metals	......	„	„
	Oils.			
13	OILS—			
	Cassia	lb	3 0	„
	Cocoanut	cwt.	13 0	„
	Grass	lb	1 12	„
	Jinjili or til	cwt.	15 0	„
	Linseed, European	Imperial gallon	1 12	„
	Otto of sorts	ounce	10 0	„
	Petroleum, including also naphtha and the liquids commonly known by the names of rock-oil, Rangoon oil, Burma oil, kerosine, paraffin oil, mineral oil, petroline, gasoline, benzol, benzine, and any inflammable liquid which is made from petroleum, coal, schist, shale, peat, or any other bituminous substance or from any products of petroleum	Imperial gallon	......	one-anna.
	„ which has its flashing point at or above two hundred degrees of Fahrenheit's thermometer and is proved to the satisfaction of the Customs Collector to be intended for use exclusively for the batching of jute or other fibre or for lubricating purposes	„	......	half-anna.
	Sandalwood	lb	8 0	Five per cent.
	Turpentine	Imperial gallon	1 14	„
	Whale (except spermaceti) and fish	cwt.	15 0	„
	Wood	......	25 0	„
	All other sorts of oil	......	*ad valorem*	„
	Other Articles, unmanufactured and manufactured.			
14	APPAREL, including haberdashery and millinery and military and other uniforms and accoutrements, but excluding boots and shoes (for which see No. 39) and uniforms and accoutrements imported by a public servant for his personal use, which are free	......	*ad valorem*	„
15	BRUSHES, all sorts	......	„	„
16	BUILDING AND ENGINEERING MATERIALS, namely Asphalt, Cement of all kinds, earthenware piping, and other kinds	......	„	„
17	CABINET-WARE AND FURNITURE	......	„	„
18	CANDLES, paraffin	lb	0 5	„
	„ spermaceti	„	0 6	„
	„ wax	„	1 0	„
	„ all other sorts, including composition	„	0 5	„

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.			
19	CANES, RATTANS, ARTICLES MADE OF CANE OR RATTAN, AND BASKET WORK—		R a.	
	Canes, Malacca	dozen	1 0	Five per cent.
	Rattans	cwt.	7 0	"
	All other sorts except common bamboos, which are free	......	*ad valorem*	"
20	CARRIAGES and component parts thereof, except railway carriages and trucks, which are free	......	"	"
21	CHINESE AND JAPANESE-WARE, including lacquered-ware, but excluding earthenware, china, and porcelain (for which see No. 27)	......	"	"
22	CLOCKS, WATCHES, and other timekeepers	......	"	"
23	COIR AND ARTICLES MADE OF COIR, EXCEPT CABLES AND ROPE (for which see No. 25)—			
	Yarn of all kinds	cwt.	9 0	"
	All other sorts	......	*ad valorem*	"
24	CORAL, real	......	"	"
25	CORDAGE AND ROPE made of any vegetable fibre—			
	Coir, cables, tarred	cwt.	10 0	"
	" rope	"	10 0	"
	Cordage, hemp, European	"	25 0	"
	" " Manila	"	30 0	"
	Twine, sail, European	lb	0 8	"
	All other sorts of cordage and rope	......	*ad valorem*	"
26	CORK and articles made of cork—			
	Bottle corks	gross	1 0	"
	Vial corks	"	0 4	"
	All other sorts	......	*ad valorem*	"
27	EARTHENWARE (except Earthenware piping, for which see No. 16), China, China clay, and porcelain	......	*ad valorem*	"
28	FEATHERS	......	"	"
29	FIREWORKS, China	box of 133⅓	35 0	"
	" all other sorts	......	*ad valorem*	"
30	FLAX and articles made of Flax—			
	Canvas, sail, European, not exceeding 40 yards	bolt	22 0	"
	Piece-goods	......	*ad valorem*	"
	All other sorts, including linen-thread	......	"	"
31	GLASS, glass-ware, beads, false pearls, and false corals—			
	Bangles, glass, China, gilt	hundred pairs	15 0	"
	" " " not gilt	"	3 0	"
	Beads, China	cwt.	36 0	"
	Coral, false	......	*ad valorem*	"
	Glass, China, all colours	133⅓ lb	32 0	"
	" Crown, coloured	100 superficial feet	14 0	"
	" " of sizes	"	6 8	"
	Pearls, false, Bajria	lákh	3 0	"
	" " Boria	thousand	1 0	"
	" " Jauria	lákh	5 0	"
	" " Lolakh	thousand	0 12	"
	" " Nathia	"	0 3	"
	" " Tachia	"	1 0	"
	" " Wattanah	lákh	10 0	"
	All other sorts of beads, false pearls, glass and glassware	......	*ad valorem*	"
32	GUMS, GUM-RESINS, and articles made of gum or gum-resin—			
	Copal	cwt.	56 0	"
	Cutch and gambier	"	17 0	

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SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.			
32	GUMS, GUM-RESINS, and articles made of gum or gum-resin—*contd.*		R a.	
	Gum Amoniac	cwt.	14 0	Five per cent.
	„ Arabic	„	18 0	„
	„ Bdellium (common gum)	„	10 0	„
	„ Benjamin	„	40 0	„
	„ Bysabol (coarse Myrrh)	„	14 0	„
	„ Olibanum or frankincense	„	12 0	„
	„ Persian (false)	„	10 0	„
	„ Kino	„	10 0	„
	Myrrh	„	40 0	„
	Rosin	„	4 4	„
	All other sorts of gums, gum-resins, and articles made of gum or gum-resin	......	*ad valorem*	„
33	HEMP and articles made of hemp— Piece goods and all other sorts (except rope, for which see No. 25)	... ..	„	„
34	HIDES AND SKINS (except raw or salted hides and skins, which are free)—			
	Hides, border	each	32 0	„
	„ buffalo	score	80 0	„
	„ cow	„	60 0	„
	Skins, all kinds	„	*ad valorem*	„
35	INSTRUMENTS AND APPARATUS— Musical, Drawing, Measuring, Optical, Photographic (including materials for photography), Surveying, and Surgical (including surgical appliances)	......	*ad valorem*	„
36	IVORY AND IVORY-WARE—			
	Unmanufactured—			
	Elephants' grinders	cwt.	125 0	„
	Elephants' tusks (other than hollows, centres, and points) each exceeding 20lb in weight, and hollows, centres and points each weighing 10lb and over.	„	800 0	„
	Elephants' tusks (other than hollows, centres, and points) not less than 10lb and not exceeding 20lb each, and hollows, centres and points each weighing less than 10lb	„	680 0	„
	Elephants' tusks each less than 10lb (other than hollows, centres and points)	„	525 0	„
	Sea-cow or moye teeth, each not less than 4lb	„	175 0	„
	Sea-cow or moye teeth, each not less than 3lb and under 4lb	„	170 0	„
	Sea-cow or moye teeth, each less than 3lb	„	130 0	„
	Articles made of ivory	„	*ad valorem*	„
37	JEWELLERY, including plate—			
	Silverware, plain } other than European	tola	1 0	„
	„ embossed or chased } other than European	„	1 4	„
	All other sorts, except precious stones and pearls, unset, which are free	......	*ad valorem*	„
38	JUTE, articles made from, except gunny bags, which are free	......	„	„
39	LEATHER and articles made of Leather, including Boots and Shoes, Harness and Saddlery, but excluding Belting for driving Machinery, which is free	......	*ad valorem*	„
40	MARINE AND NAVAL STORES, not otherwise described	......	„	„
41	MATCHES, Lucifer, and all other sorts	......	„	„

SCHEDULE IV.—(IMPORT TARIFF)—*contd.*

GENERAL DUTIES—*contd.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles, unmanufactured and manufactured—contd.		R a.	
42	MATS—			
	Floor-matting, China and Singapore, of all sorts	hundred	75 0	Five per cent.
	All other sorts, except coir-matting (for which see No. 23)	......	*ad valorem*	,,
43	OIL AND FLOOR-CLOTH	......	,,	,,
44	PAINTS, COLOURS, PAINTERS' MATERIALS, and Compositions for application to leather and metals—			
	Ochre, other than European, all colours	cwt.	1 8	,,
	Paints of sorts	,,	9 0	,,
	,, Composition	,,	56 0	,,
	,, Patent driers	,,	10 0	,,
	Prussian blue, China	lb	0 10	,,
	,, ,, European	,,	1 0	,,
	Red lead	cwt.	12 0	,,
	Turpentine	Imperial gallon	1 14	,,
	Verdigris	cwt.	70 0	,,
	Vermilion, Canton	box of 90 bundles	94 0	,,
	White lead	cwt.	14 0	,,
	All other sorts	......	*ad valorem*	,,
45	PAPER: Wall paper	......	,,	,,
46	PERFUMERY—			
	Rose-flowers, dried	cwt.	12 0	,,
	Rose-water	Imperial gallon	1 14	,,
	All other sorts, except perfumed spirit (for which see schedule III)	......	*ad valorem*	,,
47	PIECE GOODS not otherwise described, except cotton piece goods, which are free	......	*ad valorem*	
48	PIPES and other implements used in the consumption of tobacco	......	,,	,,
49	PITCH, TAR, AND DAMMER—			
	Bitumen	......	,,	,,
	Dammer	cwt.	6 0	,,
	Pitch, American and European	,,	6 0	,,
	,, Coal	,,	2 8	,,
	Tar, American and European	,,	6 0	,,
	,, Coal	,,	2 8	,,
	,, Mineral	......	*ad valorem*	,,
50	SEEDS—			
	Castor	cwt.	4 8	,,
	Cummin	,,	17 0	,,
	,, black	,,	6 0	,,
	Linseed	,,	5 8	,,
	Methi	,,	4 0	,,
	Mustard, rape, or sarson	,,	5 0	,,
	Poppy	,,	6 0	,,
	Quince, bihidána	,,	40 0	,,
	Sozirá	,,	22 0	,,
	Til or jinjili	,,	7 8	,,
	All other sorts	......	*ad valorem*	,,
51	SHELLS AND COWRIES—			
	Chanks—large shells, for cameos	hundred	6 8	,,
	,, white, live	,,	7 0	,,
	,, ,, dead	,,	4 0	,,
	Cowras	,,	0 8	,,
	Cowries, bazar, common	cwt.	3 0	,,
	,, Maldive	,,	7 8	,,
	,, Nakhla	,,	65 0	,,
	,, Sankhla	,,	60 0	,,
	,, yellow, superior quality	,,	2 8	,,
	Mother-of-pearl, nacre	,,	30 0	,,
	Tortoise-shell	,,	7 0	,,
	,, nakh	,,	1 0	,,
	All other sorts	,,	*ad valorem*	,,

SCHEDULE IV.—(IMPORT TARIFF)—*concld.*

GENERAL DUTIES—*concld.*

No.	Names of Articles.	Per	Tariff Valuation.	Duty.
	Other Articles unmanufactured and manufactured—concld.			
52	SILK, AND ARTICLES MADE OF SILK—		R a.	Five per cent.
	Floss	lb	9 0	
	Piece-goods	"	*ad valorem*	"
	Raw silk—			
	Chaháram, Cochin-China, and yellow Shanghai	"	5 4	"
	Mathow	"	3 4	"
	Other kinds of China	"	7 0	"
	Waste and Kachra	"	1 2	"
	Panjam	"	2 0	"
	Persian	"	4 4	"
	Siam	"	2 0	"
	Produced from the tasar or other wild worm	"	2 8	"
	Sewing thread, China	"	9 0	"
	All other sorts		*ad valorem*	"
53	SOAP		"	"
54	STATIONERY		"	"
55	STONE AND MARBLE		"	"
56	TALLOW AND GREASE	cwt.	25 0	"
57	TOILET REQUISITES not otherwise described		*ad valorem*	"
58	TOYS and requisites for all games		"	"
59	UMBRELLAS, COTTON, under 20 inches	each	0 10	"
	" " 20 inches and upwards	"	1 0	"
	" " oiled, other than European	"	0 9	"
	" " all other sorts, including paper kettisals	......	*ad valorem*	"
60	WAX	cwt.	32 0	"
61	WOOD AND TIMBER		*ad valorem*	"
62	WOOLLEN GOODS— Braid, Hosiery, Piece goods, All other sorts	......	"	"

SCHEDULE V.—(EXPORT TARIFF.)

Name of Article.	Rate of duty.
RICE, WHETHER HUSKED OR UNHUSKED, INCLUDING RICE-FLOUR.	Three annas per Indian maund of 82⅖lb avoirdupois weight.

STATEMENT OF OBJECTS AND REASONS.

THE embarrassed condition of the finances, and the certainty that the accounts of the present year and the estimates of the year 1894-95 show a heavy deficit, have placed the Government under the necessity of reducing expenditure so far as reduction is possible and of raising a larger revenue to meet the cost of administration.

It has accordingly been decided to increase the revenue by the imposition of indirect taxation in the form of import duties, and the present Bill practically reimposes the Tariff Schedule of 1875, with some exceptions, of which the most important is the omission of duties on Cotton Yarn and Goods.

The 28th February, 1894.

J. WESTLAND.

S. HARVEY JAMES,

Secretary to the Government of I...

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 5, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 22nd March, 1894:—

NO. 5 OF 1894.

A Bill to amend the Indian Penal Code and Act VI of 1864.

WHEREAS it is expedient to amend the Indian Penal Code and Act VI of 1864; It is hereby enacted as follows:—

Indian Penal Code.

Substitution of new section for section 182, Act XLV, 1860.

1. For section 182 of the Indian Penal Code the following shall be substituted, namely:—

False information, with intent to cause public servant to use his lawful power to the injury of another person.

"182. Whoever gives to any public servant any information which he knows or believes to be false, intending thereby to cause, or knowing it to be likely that he will thereby cause, such public servant—

(*a*) to do or omit anything which he ought not to do or omit if the true state of facts respecting which such information is given were known to him, or

(*b*) to use any lawful power or authority of such public servant for the benefit of such informant in a manner in which he would not have used it but for the receipt of such false information, or

(*c*) to use the lawful power of such public servant to the injury or annoyance of any person,

shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

"*Explanation.*—It shall not be necessary for the purpose of clause (*c*) to show an intention on the part of the informant to injure or annoy any particular person if a reasonable and natural consequence of the receipt of such information as aforesaid would be that the public servant would so act as to cause injury or annoyance to some person or persons.

"*Illustrations.*

"(*a*) *A* informs a Magistrate that *Z*, a police-officer subordinate to such Magistrate, has been guilty of neglect of duty or misconduct, knowing such information to be false, and knowing it to be likely that the information will cause the Magistrate to dismiss *Z*. *A* has committed the offence defined in this section.

"(*b*) *A* falsely informs a public servant that *Z* has contraband salt in a secret place knowing such information to be false, and knowing that it is likely that the consequence of the information will be a search of *Z*'s premises, attended with annoyance to *Z*. *A* has committed the offence defined in this section.

"(*c*) *A* falsely informs a policeman that he has been assaulted and robbed in the neighbourhood of a particular village, but does not mention the name of any person as one of his assailants. As a natural consequence of this information, the Police make enquiries and institute searches in the village to the annoyance of the villagers or some of them. *A* has committed an offence under this section.

"(*d*) *A* applies to be admitted as a pleader in a Court, and in support of his application falsely alleges in writing or otherwise that he has been admitted as an advocate in some other Court, his intention being thereby to obtain authority to practise the profession of a pleader for gain or reward. *A* has committed an offence under this section."

Addition of section to Chapter XII, Act XLV, 1860.

2. To Chapter XII of the said Code the following shall be added, namely:—

Prohibition of fictitious stamps.

"263A. (*1*) Whoever—

(*a*) makes, knowingly utters, deals in or sells any fictitious stamp, or knowingly uses

for any postal purpose any fictitious stamp, or

(*b*) has in his possession, without lawful excuse, any fictitious stamp, or

(*c*) makes or, without lawful excuse, has in his possession any die, plate, instrument or materials for making any fictitious stamp,

shall be punished with fine which may extend to two hundred rupees.

"(2) Any such stamp, die, plate, instrument or materials in the possession of any person for making any fictitious stamp may be seized and shall be forfeited.

"(3) In this section—

(*a*) 'fictitious stamp' means any stamp falsely purporting to be issued by Government for the purpose of denoting a rate of postage, or any facsimile or imitation or representation, whether on paper or otherwise, of any stamp issued by Government for that purpose: and

(*b*) 'Government' shall, notwithstanding anything in section 17, be deemed to denote the person or persons authorised by law to administer executive government, not only in any part of British India, but also in any part of Her Majesty's dominions or in any foreign country."

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Substitution of new section for section 294, Act XLV, 1860.

3. For section 294 of the said Code the following shall be substituted, namely:—

Obscene acts and songs.

"294. Whoever in or near any public place, to the annoyance of others, does any obscene act, or sings, recites or utters any obscene song, ballad or words, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both."

Addition of new section after section 477, Act XLV, 1860.

4. After section 477 of the said Code the following shall be added, namely:— [38 & 39 Vict., c.]

Falsification of accounts.

"477A. Whoever, being a clerk, officer or servant, or employed or acting in the capacity of a clerk, officer or servant, wilfully, and with intent to defraud, destroys, alters, mutilates or falsifies any book, paper, writing, valuable security or account which belongs to or is in the possession of his employer, or has been received by him for or on behalf of his employer, or wilfully, and with intent to defraud, makes or concurs in making any false entry in, or omits or alters or concurs in omitting or altering any material particular from or in, any such book, paper, writing, valuable security or account, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

"*Explanation.*—It shall be sufficient in any charge under this section to allege a general intent to defraud without naming any particular person intended to be defrauded or specifying any particular sum of money intended to be the subject of the fraud."

Act VI of 1864.

Addition to Act VI, 1864.

5. After section 6 of Act VI of 1864 (*an Act to authorise the punishment of whipping in certain cases*), the following shall be added, namely:—

Definitions.

"7. (*1*) In sections 3 and 4 of this Act the words 'same offence' include a minor offence made up of some or any of the particulars of which the offence for which the subsequent conviction is obtained consists [Cf. Act 1882, s.]

"(*2*) In section 5 of this Act, the expression 'juvenile offender' means an offender who in the opinion of the Court is under sixteen years of age, the opinion of the Court on such matter being final and conclusive." [8 Bom. Ca., 9]

STATEMENT OF OBJECTS AND REASONS.

The object of section 2 of this Bill is to give effect to the provisions of the Vienna Postal Convention which came into force on the 1st July, 1892. The other sections of the Bill are explained by the marginal notes against them. Section 4 has been inserted on the recommendation of Local Governments and Chambers of Commerce, the existing law having been held to be defective.

The 21st March 1894.

ALEX. EDW. MILLER.

S. HARVEY JAMES,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 22nd March, 1894:—

NO. 6 OF 1894.

A Bill to amend sections 366 and 371 of the Code of Criminal Procedure, 1882.

WHEREAS it is expedient to amend sections 366 and 371 of the Code of Criminal Procedure, 1882; It is hereby enacted as follows:—

Substitution of new section for section 366, Act X, 1882.

1. For section 366 of the said Code the following shall be substituted, namely:—

Mode of delivering judgment.

"366. The judgment in every trial in any Criminal Court of original jurisdiction shall be pronounced, or the substance of such judgment shall be explained,—

(*a*) in open Court either immediately after the termination of the trial or at some subsequent time of which notice shall be given to the parties or their pleaders, and

(*b*) in the language of the Court, or in some other language which the accused or his pleader understands.

The accused shall, if he is in custody and the judgment is not one of discharge or acquittal, be brought up, or may, if he is not in custody and the judgment is not one of discharge or acquittal, be required by the Court to attend, to hear the judgment delivered.

For any cause which may appear to the Court to be sufficient and shall be recorded by it in writing, the Court may delegate its functions under this section with respect to the delivery of any judgment to any other Court within the limits of the jurisdiction of which the accused may be, and such other Court shall cause notice to be given to the parties or their pleaders of the day and place on and at which the judgment will be delivered as in this section authorised and required, and, when the judgment has been delivered, shall certify thereon the date and mode of delivery.

No judgment delivered by any Criminal Court shall be deemed to be invalid by reason only of the absence of any party or his pleader on the day or from the place notified for the delivery thereof, or of any omission to serve, or defect in serving, on the parties or their pleaders, or any of them, the notice of such day and place.

And nothing in this section shall be construed to limit in any way the extent of the provisions of section 537." [I. L. R. Cal. 121

Amendment of section 371, Act X, 1882.

2. In section 371 of the said Code, for the words "The judgment shall be explained to the accused and on his application" the words "On the application of the accused" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is the outcome of a reference made to the Government of India from the North-Western Provinces in 1892, and circulated by that Government in the same year for the opinions of Local Governments, High Courts and other authorities, respecting certain difficulties which in practice arise in the application of some of the provisions of Chapter XXVI of the Code of Criminal Procedure, 1882.

In connection with the subject of the Bill the Government has recently had the opportunity of perusing the case published at I. L. R. 21 Cal. 121.

ALEX. EDW. MILLER.

The 17th March, 1894.

S. HARVEY JAMES,
Secretary to the Government of India.

Government Gazette,

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LAHORE, THURSDAY, JULY 19, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 12th July, 1894:

NO. 8 OF 1894.

A Bill to amend certain sections of the Code of Civil Procedure and to repeal certain sections of the Punjab Laws Act, 1872.

WHEREAS it is expedient to amend certain sections of the Code of Civil Procedure and to repeal certain sections of the Punjab Laws Act; It is hereby enacted as follows:

Amendment of section 39, Act XIV, 1882.

1. In the third paragraph of section 39 of the said Code, between the words "of any High Court established by Royal Charter" and the words "shall be required," the words "or of the Chief Court of the Punjab" shall be inserted.

Amendment of section 180, Act XIV, 1882.

2. For the first and second paragraphs of section 180 of the said Code the following shall be substituted, namely:

"The other party shall then state his case and produce his evidence (if any), and may then address the Court generally on the whole case.

"The party beginning may then reply generally on the whole case."

Addition to section 260, Act XIV, 1882.

3. After the first paragraph of section 260 of the said Code the following shall be added, namely:

"Provided that no decree for restitution of conjugal rights shall be enforced by imprisonment of the defendant, unless the Court shall, for sufficient reasons to be stated in writing on the face of the order, think fit so t direct."

Substitution of new section for section 548, Act XIV, 1882.

4. For section 548 of the said Code the following shall be substituted, namely:

Registry of memorandum of appeal.

"548. When a memorandum of appeal is admitted, the appellant shall present as many copies thereof on plain paper as there are respondents.

"The chief ministerial or other proper officer of the Appellate Court shall sign such memorandum of appeal and copies, if on examination he finds them to be correct, and shall endorse thereon the date of presentation, and shall thereupon register the appeal in a book to be kept for the purpose.

"Such book shall be called the Register of Appeals."

Addition to section 553, Act X, 1882.

5. At the end of section 553 of the said Code the following shall be added, namely:

"Every notice under this section served on any respondent or his pleader shall be accompanied by one of the copies of the memorandum of appeal mentioned in section 548."

Repeal of sections 17 and 18 of Punjab Laws Act.

6. Sections 17 and 18 of the Punjab Laws Act, 1872, as amended by Act XII of 1878, are hereby repealed.

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is mainly designed to meet certain inconveniences which have been brought to the notice of the Government of India from time to time as arising in practice under certain sections of the Code of Civil Procedure.

2. The repeal of sections 17 and 18 of the Punjab Laws Act has been recommended by the Chief Court and the Lieutenant-Governor of the Punjab on the ground that the sections are no longer necessary in view of section 214 of the Code of Civil Procedure and on the further ground that hardship may in particular cases be caused by them.

The 10th July, 1894. ALEX. EDW. MILLER.

S. HARVEY JAMES,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 12th July, 1894:

NO. 9 OF 1894.

A Bill to amend the Cantonments Act, 1889.

WHEREAS it is expedient to amend the Cantonments Act, 1889; It is hereby enacted as follows:

Title, extent and commencement.

1. (*1*) This Act may be called the Cantonments Act Amendment Act, 1894.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force at once.

Addition to section 26 of Act XIII of 1889.

2. To section 26 of the Cantonments Act, 1889, the following shall be added, namely:

"Provided that no such rule shall contain any regulation enjoining or permitting any compulsory or periodical examination of any woman by medical officers or others for the purpose of ascertaining whether she is or is not suffering from any venereal disease, or is or is not fit for prostitution, or any regulation for the licensing or registration of prostitutes, or sanctioning the practice of prostitution, in any cantonment."

Insertion of new section after section 26 of Act XIII of 1889.

3. After the last-mentioned section the following section shall be inserted:

Penalty for subjecting a woman to compulsory examination.

"26A. Any public servant who shall subject any woman to compulsory examination for any of the purposes mentioned in the proviso to section 26 shall be liable, on conviction thereof in a summary way before the Cantonment Magistrate, to fine which may extend to one hundred rupees, or to such imprisonment in default of payment thereof as is provided by the Indian Penal Code, section 67." XLV

STATEMENT OF OBJECTS AND REASONS.

ON the 26th July, 1888, the Government of India, in compliance with a despatch from the Secretary of State dated the 14th June, 1888, issued certain orders with a view of putting an end to the registration and compulsory examination of prostitutes in cantonments. It has been discovered that these orders have not in all cases proved effectual for the purpose, and the Secretary of State in Council has directed that the Bill to which this Statement is annexed should be introduced in the Legislative Council for the purpose of prohibiting under penalties such examination for the future. The Bill is submitted accordingly in compliance with the directions of Her Majesty's Government.

ALEX. EDW. MILLER.

The 10th July, 1894.

S. HARVEY JAMES,

Secretary to the Government of India.

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LAHORE, THURSDAY, AUGUST 23, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 16th August 1894:

NO. 10 OF 1894.

THE INDIAN ARTICLES OF WAR BILL.

CONTENTS.

The Indian Articles of War Bill.

(Sections 1-4.)

A Bill to amend the Articles of War for the government of Her Majesty's Indian Forces.

WHEREAS it is expedient to amend the Articles of War for the government of Her Majesty's Indian Forces; It is hereby enacted as follows:

Title and commencement.

1. (*1*) This Act may be called the Indian Articles of War Act, 1894; and

(*2*) It shall come into force on the first day of 1894.

Repeal of clause (*c*) of Part I of Indian Articles of War.

2. Part I, clause (*c*), of the Indian Articles of War (hereinafter called "the said Articles"), is hereby repealed.

Substitution of new

3. For Part I, clause (*d*), of the said Articles the following shall be

"(*d*).—*Application of Articles.*

"These Articles shall apply to all—

(*a*) persons to whom they actually apply at present;

(*b*) persons commissioned or gazetted as Native officers, or gazetted as warrant officers, of Her Majesty's Indian Forces;

(*c*) medical subordinates;

(*d*) persons attested under these Articles;

(*e*) unattested recruits;

(*f*) persons enrolled under these Articles;

(*g*) persons, not otherwise subject to military law, who, on active service, in camp, on the march, or at any frontier post specified by the Governor General in Council by notification in this behalf, are employed by, or are in the service of, or are followers of, or accompany any portion of, Her Majesty's Indian Forces:

Provided as follows:

if any person claims to belong to a class to which the Army Act is; and these Articles are not, applicable, the burden of proving that he belongs to that class shall lie upon him." 44 & 45 Vic. c. 58.

Substitution of new clause for clause (*e*) of Part I.

4. For Part I, clause (*e*), of the said Articles the following shall be substituted, namely:

"(*e*).—*Definitions.*

"In these Articles, unless there is something repugnant in the subject or context,—

(*1*) 'notification' means a notification published in the official Gazette:

(*2*) 'prescribed' means prescribed by rules made by the Governor General in Council or by any authority empowered by him in this behalf:

(*3*) 'British officer' means an officer holding a commission in Her Majesty's land forces, but does not include an honorary commissioned officer:

(*4*) 'Native officer' means an officer commissioned or gazetted as an officer holding a Native rank in Her Majesty's Indian Forces:

(*5*) 'officer' means a British officer or Native officer, but does not include a warrant officer or non-commissioned officer:

(*6*) 'medical subordinate' means a senior hospital assistant, a hospital assistant of the first, second or third class, and a sub-hospital assistant, but does not include an officer:

(*7*) 'superior officer,' when used in relation to a person subject to these Articles, includes a warrant officer, a non-commissioned officer and an acting non-commissioned officer:

(*8*) 'soldier' includes a non-commissioned officer and any armed person doing duty in the ranks of Her Majesty's Indian Forces:

(*9*) 'recruit' means a person enlisted for enrolment in any corps or department as a soldier:

(*10*) 'corps' means a unit of command, such as a regiment of cavalry, a regiment or battalion of infantry, a battery of artillery, and

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by general or special order to be a corps for the purposes of these Articles; it also includes an army hospital corps and a transport corps:

(*11*) 'department' includes any division or branch of a department:

(*12*) 'military reward' means any gratuity or annuity for long service or good conduct; it also includes any good-conduct pay or pension and any other pecuniary reward:

(*13*) 'enemy' includes all armed mutineers, armed rebels, armed rioters and pirates:

(*14*) 'active service,' as applied to a person subject to these Articles, means the time during which such person is attached to or forms part of a force which is engaged in operations against an enemy, or is engaged in military operations in a country or place wholly or partly occupied by an enemy, or is in military occupation of any foreign country:

(*15*) the expression 'India' means British India, together with any territories of any Prince or Chief under the suzerainty of Her Majesty exercised through the Governor General in Council or through any Governor in Council or other officer subordinate to the Governor General in Council: and the expression 'British India' means all territories and places within Her Majesty's dominions which are for the time being governed by Her Majesty through the Governor General in Council or through any Governor in Council or other officer subordinate to the Governor General in Council:

(*16*) the expression 'general officer of the Command' means the general officer commanding the forces in a Command: and the expression 'Command' means one of the principal portions into which the army of India is, for the time being, divided:

(*17*) 'commanding officer,' used in any provision of these Articles with reference to any separate portion of Her Majesty's forces or to any department, means the officer whose duty it is under the Army Regulations, India, or, in the absence of any such Regulation, by the custom of the service, to discharge with respect to that portion of the forces or that department the functions of commanding officer in regard to matters of the description referred to in that provision:

(*18*) 'military custody' means the arrest or confinement of a person, according to the usages of the service:

(*19*) 'court-martial' means a court-martial held under these Articles:

(*20*) 'criminal court' means a court of ordinary criminal justice in British India, or established or continued elsewhere by the authority of the Governor General in Council:

(*21*) 'civil offence' means an offence which if committed in British India would be triable by a criminal court: and

(*22*) expressions occurring in the Indian 1860. Penal Code and used in these Articles shall have the meanings respectively assigned to them by that Code."

5. For Part I, clause (*f*), of the said Articles

"(*f*).—*Saving of certain Regulations.*

"Nothing in these Articles shall affect any regulations by which the respective offices and powers of cantonment magistrates and officers in charge of the police in cantonments are defined and controlled."

6. For Part II, Title I, of the said Articles the following shall be substituted, namely:

Substitution of new title for Title I of Part II.

"TITLE I.—ENROLMENT, ATTESTATION, DISMISSAL AND DISCHARGE.

Enrolment and attestation.

"*Article 1.*—(*1*) The Governor General in Council may, by notification, declare what persons or classes of persons shall be enrolled only, or be both enrolled and attested, respectively.

Mode of enrolment.

(*2*) A person shall be deemed to be enrolled under these Articles when his name has, with his consent, been entered in the prescribed manner on the list of a corps or department of Her Majesty's Indian Forces.

Mode of attestation.

(*3*) Subject to the provisions of this article with respect to recruits, every person to be attested under these Articles shall be taken before the prescribed civil or military officer, and that officer shall read and explain to him, or cause to be read and explained to him in his presence, the questions set forth in the prescribed form of attestation, and such other matters (if any) as may be prescribed; and, after having cautioned him that if he makes a false answer to any question set forth in the attestation form he will be liable to be punished as provided by these Articles, shall record the answer to each question, and shall, if he is satisfied that the person fully understands the questions, and that the answer has been correctly recorded opposite each question, and if he perceives no impediment, administer to the person an affirmation or oath in the prescribed form.

(*4*) The form of affirmation or oath prescribed under this article shall contain a promise that the person to be attested will be faithful to Her Majesty, Her heirs and successors, and that he will serve in Her Majesty's Indian Forces and go wherever he is ordered by land or sea, and that he will obey all commands of any officer set over him, even to the peril of his life.

(*5*) When a recruit is reported fit for duty, an affirmation or oath in the same form shall be administered to him in the prescribed manner by the commanding officer in front of the corps or such portion thereof or such members of the department as shall be present.

(*6*) After administering the affirmation or oath, the officer shall authenticate the attestation paper by his signature, and the person shall then be deemed to have been attested.

Treatment of enrolment and attestation as of same effect in certain cases.

(*7*) Subject to any rules which may be prescribed, the Commander-in-Chief in India, or the general officer of the Command, may direct that any persons to whom these Articles apply as

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rolled persons shall, for the purposes of these Articles, be deemed to be attested.

5 Vict.,

Rank and subordination.

"*Article 2.*—(*1*) Subject to the provisions of the Army Act, the Governor General in Council may, by notification, direct that persons of any class subject to these Articles shall, for any of the purposes of these Articles, be deemed to be Native officers, warrant officers or non-commissioned officers; and,

(*2*) Subject as aforesaid, any prescribed authority may issue an order giving a like direction with respect to any such person.

(*3*) Any notification or order issued under this article may be cancelled by the authority issuing the same; and,

(*4*) Subject as aforesaid, any person of the said classes with respect to whom no such notification or order is in force shall, so far as may be, be deemed for all the purposes of these Articles to be of a rank inferior to that of a non-commissioned officer.

(*5*) Should any question arise as to the rank of any other person subject to these Articles, or as to whether any such person is above or below a specified rank, the decision of the Governor General in Council thereon shall be conclusive.

(*6*) Every person subject to these Articles shall, for the purposes thereof, be deemed to be under the commanding officer of the corps or department (if any) to which he is attached, and, if not attached to any corps or department, under any officer who may for the time being be named as his commanding officer by the general or other officer commanding the force with which such person may for the time being be serving, or of any other prescribed officer, or, if no such officer is named or prescribed, under the said general or other officer commanding;

Provided that a general or other officer commanding shall not place any person under an officer of official rank inferior to his own if there is present at the place where such person is any officer of higher rank under whom he can be placed.

Dismissal and discharge of commissioned officers.

"*Article 3.*—(*1*) Every commissioned officer shall be liable to dismissal from the service by the sentence of a general court-martial, and to dismissal or discharge by order of the Governor General of India in Council, or of the Commander-in-Chief in India, or of the general officer of the Command to which he belongs.

(*2*) A commissioned officer dismissed under these articles shall forfeit all claim to pension.

Dismissal and discharge of other persons.

"*Article 4.*—(*1*) Every person subject to these Articles, other than a commissioned officer, shall be liable to—

(*a*) dismissal from the service by the sentence of any court-martial empowered to try him, and

(*b*) dismissal or discharge from the service, by order of the Governor General of India in Council, or of the Commanding the division or district in which he is serving, or, if he belongs to a force not attached to a command, by order of the officer commanding such force.

(*2*) Every person so dismissed shall forfeit all claim to pension.

Attested person dismissed or discharged and re-enlisting or making false answer at his attestation.

"*Article 5.*—(*1*) Every attested person of or below the rank of non-commissioned officer who has been dismissed or discharged from the service, and who subsequently re-enters the service without at the time stating the fact of his dismissal or discharge, or showing his certificate of dismissal or discharge, may be dismissed the service by the officer commanding the corps or department with which he is serving; and

(*2*) Every attested person of or below the rank of non-commissioned officer who is discovered to have made a wilfully false answer to any question set forth in the attestation paper which has been put to him by, or by direction of, the officer before whom he appears for the purpose of being attested, shall, on conviction by court-martial, be liable to suffer imprisonment (with hard labour and with or without solitary confinement) or such less punishment as is in these Articles mentioned.

Certificate to person dismissed or discharged.

"*Article 6.*—Every attested person who is dismissed or discharged from the service shall be furnished by his commanding officer with a certificate, in the English language and in the mother-tongue of such person (when his mother-tongue is not English), setting forth—

(*a*) the authority dismissing or discharging him;

(*b*) the cause of his dismissal or discharge; and

(*c*) the full period of his service in the army."

Repeal of portion of article 7.

7. In article 7, sentence 1, of the said Articles, the words "in any regiment, corps, detachment or guard" are hereby repealed.

Substitution of new sentence for third sentence of same article.

8. For the third sentence of the last-mentioned article the following shall be substituted, namely:

"or who, knowing or having reason to believe in the existence of any mutiny or sedition, or of any intention to mutiny or create sedition, or of any conspiracy against the State,".

Amendment of article 8.

9. In article 8 of the said Articles, for the words "under any circumstances in which the superior officer is distinguishable as such in any manner" the words "knowing or having reason to believe him to be such" shall be substituted.

Substitution of new articles for articles 10 and 11.

10. For articles 10 and 11 of the said Articles the following shall be substituted, namely:

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"*Re-enlistment without having been discharged.*

"*Article 11.*—Who, without having first obtained a regular discharge from the corps or department to which he belongs, enlists or enrols himself in any other corps or department;—or".

Amendment of article 24.

11. For the last paragraph of article 24 of the said Articles the following shall be substituted, namely:

"Whenever any person is convicted of an offence specified in article 7 and punishable with death under this article, all his property, moveable and immoveable, shall be forfeited to the Government."

Substitution of new articles for articles 25 and 26.

12. For articles 25 and 26 of the said Articles the following shall be substituted, namely:

"*Unbecoming behaviour.*

"*Article 25.*—Any officer, medical subordinate or warrant officer who behaves in a manner unbecoming his position and character;—and any person subject to these Articles—

"*Intoxication on duty.*

"*Article 26.*—Who is in a state of intoxication when on or after having been warned for any duty, or on parade, or on the line of march;—or".

Substitution of new article for article 31.

13. For article 31 of the said Articles the following shall be substituted, namely:

"*Failure to rejoin.*

"*Article 31.*—Who, being on leave of absence and having received information from proper authority that his corps or department has been ordered on service, fails, without sufficient cause, to rejoin without delay;—or".

Substitution of new article for article 39.

14. For article 39 of the said Articles the following shall be substituted, namely:

"*Impeding Provost-marshal.*

"*Article 39.*—Who impedes a provost-marshal or an assistant provost-marshal, or any officer or non-commissioned officer or other person legally exercising authority under or on behalf of a provost-marshal, or, when called on, refuses to assist, in the execution of his duty, the provost-marshal, assistant provost-marshal, or any such officer, non-commissioned officer or other person;—or".

Amendment of article 40.

15. In article 40 of the said Articles the words "enrolled or" shall be inserted between the word "person" and the word "attested".

Substitution of new article for article 47.

16. For article 47 of the said Articles the following shall be substituted, namely:

"*Making away with regimental necessaries.*

"*Article 47.*—Who—

(*a*) designedly or through neglect kills, injures or loses his horse or ill-treats any animal used in the public service;

(*b*) designedly or through neglect injures or loses his arms, clothes, tools, musical or surgical instruments, equipments, ammunition, accoutrements or regimental necessaries, or any such articles entrusted to him or belonging to any other person;—or

(*c*) sells, pawns, destroys or defaces any medal or decoration granted to him by order of Her Majesty or of the Governor General of India in Council for service in the field or for general good conduct;—or".

Amendment of article 48.

17. In article 48 of the said Articles, for the word "and" where it first occurs the word "or" shall be substituted.

Substitution of new article for article 57.

18. For article 57 of the said Articles the following shall be substituted, namely:

"*Punishment for offences mentioned in articles 54, 55 and 56.*

"*Article 57.*—Shall, if convicted by a general court-martial, be sentenced to be dismissed the service and to forfeit any arrears of pay and allowances due to him at the time of dismissal, and shall be punishable also with imprisonment (with or without hard labour, and with or without solitary confinement) for a term which may extend to two years: and shall, if convicted by a district court-martial, be liable to any or all of the penalties which such court is competent to inflict."

Amendment of article 65.

19. In article 65 of the said Articles the word "other" shall be omitted.

Substitution of new article for article 66.

20. For article 66 of the said Articles the following shall be substituted, namely:

"*Penalties for offences specified in articles 58 to 65.*

"*Article 66.*—Shall, on conviction by a general or district court-martial, be liable to any or all of the punishments, other than death or transportation, which the court-martial is competent to award."

Amendment of article 69.

21. In article 69 of the said Articles, for the words "such punishments as" the words "any or all of the punishments, other than death or transporation, which" shall be substituted.

Substitution of new article for article 71.

22. For article 71 of the said Articles the following shall be substituted, namely:

"*Abetment.*

"*Article 71.*—Every person who abets, within the meaning of the Indian Penal Code, any offence punishable under these Articles may be punished with the punishment hereinbefore provided in these Articles for such offence." X

23. For articles 72 to 74 of the said Arti-

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Courts-martial and the kinds thereof.

"*Article 72.*—For the purposes of these Articles, there shall be five kinds of courts-martial, that is to say—

(1) General courts-martial.
(2) District courts-martial.
(3) Regimental courts-martial.
} Hereinafter called ordinary courts-martial.

(4) Summary general courts-martial.
(5) Summary courts-martial.
} Hereinafter called extra ordinary courts-martial.

"*Ordinary Courts-martial.*

Power to convene ordinary courts-martial.

"*Article 73.*—(*1*) The following authorities shall have power to convene general or district courts-martial, namely:

(*a*) the Commander-in-Chief in India,

(*b*) the general officer of the Command,

(*c*) any officer empowered in that behalf by warrant of the Commander-in-Chief in India or the general officer of the Command.

(*2*) The power of convening general or district courts-martial may be granted under clause (*1*), sub-clause (*c*), subject to such restrictions, reservations, exceptions and conditions as the Commander-in-Chief in India or the general officer of the Command granting the power may think fit.

(*3*) Any warrant under this article for convening general or district courts-martial, or either of them, may be addressed to an officer by name, or by designation of his office, or partly in one way and partly in the other, and may or may not, according to the terms thereof and the mode in which it is addressed, be limited to an officer named or be extended to any person for the time being performing the duties of such officer, or to the successors in command of such officer.

Composition of general courts-martial.

"*Article 74.*—A general court-martial shall, if held in British India, consist of not less than seven officers, unless that number, due regard being had to the public service, is not available, in which case the court may consist of not less than five officers."

Repeal of articles 75, 77, 78 and 79.

24. Articles 75, 77, 78 and 79 of the said Articles are hereby repealed.

Amendment of article 76.

25. In article 76 of the said Articles, for the words "reduction to the ranks" the words "reduction to a lower grade or to the ranks" shall be substituted.

Substitution of new articles for articles 80 and 81.

26. For articles 80 and 81 of the said Articles the following shall be substituted, namely:

Composition of district court-martial.

"*Article 80.*—A district court-martial shall consist of not less than five officers, unless that number, due regard being had to the public service, is not available, in which case the court may consist of not less than three officers.

Amendment of article 82.

27. In article 82 of the said Articles the words "or garrison" and the words "other than mutiny" shall be omitted.

Further amendment of same article.

28. In the last-mentioned article, for the words "one year" the words "two years" and for the words "reduction to the ranks" the words "reduction to a lower grade or to the ranks" shall be respectively substituted.

Insertion of new article after article 82.

29. After article 82 of the said Articles the following article shall be inserted, namely:

Convening order to state if larger number of officers is not available.

"*Article 82A.*—Whenever a general or district court-martial is ordered to be composed of the smaller number of officers specified in article 74 or 80, the order convening the court shall expressly state that the larger number of officers is not, due regard being had to the public service, available; and that statement shall be conclusive evidence of the fact so stated."

Substitution of new articles for articles 84 and 85.

30. For articles 84 and 85 of the said Articles the following shall be substituted, namely:

Composition of regimental court-martial.

"*Article 84.*—A regimental court-martial shall consist of not less than three officers.

Powers of such court.

"*Article 85.*—A regimental court-martial shall have power to try all persons subject to these Articles and not above the rank of non-commissioned officer—

(*a*) for any offence triable by a court-martial under these Articles, except an offence punishable, under articles 7 to 23 (both inclusive), articles 59 to 65 (both inclusive), or articles 171 to 173 (both inclusive), and,

(*b*) with the previous sanction of the prescribed authority, for any of the offences so excepted.

Powers as to sentences of such courts.

"*Article 85A.*—A regimental court-martial shall have power to pass any sentence which might have been passed by a district court-martial for the like offence other than suspension from rank, pay and allowances:

Provided that no sentence of imprisonment for a term exceeding six months, nor any of the additional punishments specified in article 135, shall be passed by a regimental court-martial."

Substitution of new articles for articles 86 to 89.

31. For articles 86 to 89 of the said Articles the following shall be substituted, namely:

Native and British officers when to be nominated.

"*Article 86.*—(*1*) The officers composing a court-martial convened under the foregoing provisions shall, except as hereinafter provided, be Native officers.

(*2*) The Governor General in Council, or the Commander-in-Chief in India, or the general officer of the Command, or any officer authorized by the Governor General in Council, or by the

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(3) Any person subject to these Articles, who is under orders for trial by any court-martial, may claim to be tried by British officers.

(4) In all cases the right of making such a claim shall, before the court is convened, be explained to the person under orders for trial by the commanding officer, or some officer deputed by him in this behalf, and, when such a claim is made, the court shall be constituted accordingly.

(5) A court-martial convened for the trial of any person subject to these Articles, and serving with any British corps or detachment, may be composed of British officers if, in the opinion of the officer convening the court (such opinion to be expressed in the order convening the court and to be conclusive), Native officers are not available with due regard to the public service for service on the court.

Judge advocate and appointment of superintending officer for Native court-martial.

"*Article 87.*—(1) Every general court-martial shall be attended by a judge advocate.

(2) If no officer of the judge advocate general's department is available, the officer convening the court shall appoint a fit person to act as judge advocate at the trial.

(3) No person under orders for trial or under trial by any court-martial may, without the leave of the court, object to any person acting or professing to act as judge advocate.

(4) A British officer of not less than four years' service, hereinafter called the superintending officer, shall be appointed to superintend the proceedings of every court-martial composed of Native officers which is not attended by a judge advocate.

President.

"*Article 88.*—(1) At every court-martial the senior officer shall sit as president without special appointment as such.

(2) In case of the death or unavoidable absence of the president, the next senior officer shall take the place of the president, without special appointment as such, and the trial shall proceed if the court is still composed of not less than the smallest number of officers of which it is required by these Articles to consist.

Finding and sentence invalid without confirmation.

"*Article 89.*—No finding or sentence of a general, district or regimental court-martial shall be valid, except so far as it may be confirmed as provided by these Articles.

By whom findings and sentence may be confirmed or otherwise disposed of.

"*Article 89A.*—(1) The following authorities shall have power to confirm the findings and sentences of general and district courts-martial:

(a) the Commander-in-Chief in India;

(b) the general officer of the Command, as regards troops under his command wherever stationed;

(c) the officer commanding a force not attached to a Command;

(d) any officer empowered in that behalf by warrant of the Commander-in-Chief in India or the general officer of the under this article shall be deemed to empower an officer to confirm any finding or sentence in the case of an officer, medical subordinate or warrant officer, or a sentence of death, transportation or imprisonment for a term exceeding seven years, in any case whatever.

(2) The provisions of article 73, clauses (2) and (3), shall, with the necessary modifications, apply to warrants issued under this article.

(3) The officer who convenes a regimental court-martial or the officer having authority to convene such court-martial, at the date of the submission of the finding and sentence thereof, shall have power to confirm the same.

Power of confirming officer to mitigate, remit or commute sentence.

"*Article 89B.*—Subject to such restrictions as may be contained in any warrant issued under the last preceding article, the confirming officer may, when confirming the sentence of a court-martial, mitigate or remit the punishment thereby awarded, or commute that punishment for any less punishment or punishments to which the offender might have been sentenced by the court-martial:

Provided that a sentence of transportation shall not be commuted to a sentence of imprisonment for a term exceeding the term of transportation awarded by the court."

Substitution of new articles for articles 90 to 97.

32. For articles 90 to 97 of the said Articles the following shall be substituted, namely:

"*Extraordinary Courts-Martial.*

Convening of summary general courts-martial.

"*Article 90.*—The following authorities shall have power to convene a summary general court-martial, and such a court-martial may be convened—

(a) in any place, whether within or beyond British India, by an officer empowered in this behalf by an order of the Governor General in Council or of the Commander-in-Chief in India or of the general officer of the Command;

(b) by an officer commanding any detached portion of Her Majesty's troops upon active service when, in his opinion, it is not practicable, with due regard to discipline and the exigencies of the service, that an offence should be tried by an ordinary general court-martial.

Composition of summary general courts-martial.

"*Article 91.*—(1) A summary general court-martial shall consist of not less than three officers, who may be either British or Native, or both British and Native officers, as the officer convening the court thinks fit.

(2) Such court may be convened and the proceedings thereof be recorded in accordance with the form in the appendix to these Articles:

Provided that the convening officer may, in

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"*Article 92.*—A summary general court-martial shall have all the powers of a general court-martial, and, subject to any instructions contained in the order convening the court, its sentence shall be valid, and may be carried out forthwith if it does not exceed that which a district court-martial is empowered to pass, and in any other case when confirmed by the authority convening the court.

Powers of a summary general court-martial.

By whom a summary court-martial may be held.

"*Article 93.*—(*1*) A summary court-martial may be held—

(*a*) by the commanding officer, being a combatant officer, of any corps or department of Her Majesty's Indian forces, or of any detachment of those forces;

(*b*) by the commanding officer of any British corps or detachment to which Native combatant details subject to these Articles are attached.

(*2*) At every summary court-martial the officer holding the trial shall alone constitute the court, but the proceedings shall be attended throughout by two other officers, British or Native, who shall not, as such, be affirmed or sworn.

Constitution of a summary court-martial.

(*3*) The proceedings shall be recorded in the English language, and, when closed, shall be signed by the officer holding the trial, and by the officers attending thereat.

(*4*) A summary court-martial may try any person subject to these Articles and under the command of the officer holding the court, except an officer, medical subordinate or warrant officer.

Persons triable by a summary court-martial.

(*5*) Any member of an army hospital corps may be tried by summary court-martial by any officer authorised in this behalf by the officer commanding the division, district, brigade or station to which the alleged offender belongs.

"*Article 94.*—A summary court-martial may try any offence punishable under any of these Articles:

Offences triable by a summary court-martial.

Provided that when there is no grave reason for immediate action, and reference can, without detriment to discipline, be made to superior authority, a summary court-martial shall not try without such reference any of the following offences, namely:

(*a*) any offence punishable under any of the articles 7 to 23, both inclusive, or articles 50 to 65, both inclusive, or article 171;

(*b*) any offence against the officer holding the court.

"*Article 95.*—(*1*) A summary court-martial held by the commanding officer of a corps or department may pass any sentence which can be passed under these Articles, except a sentence of death or transportation, or of imprisonment

Powers of a summary court-martial.

be passed under these Articles, except a sentence of death or transportation, or of imprisonment for a term exceeding six months.

"*Article 96.*—The finding and sentence of a summary court-martial shall not require to be confirmed, but may be carried out at once:

Finding and sentence of a summary court-martial.

Provided that, if the officer holding the trial is of less than five years' service, he shall not, except on active service, carry into effect any sentence until it has received the approval of a superior military officer commanding not less than a corps.

"*Article 97.*—The proceedings of every summary court-martial shall, without delay, be forwarded to the officer commanding the district, or the division or brigade, within which the trial was held, or to the prescribed officer: and such officer or the Commander-in-Chief in India or the general officer of the Command, or, when the court is held in a force not attached to a Command, the officer commanding the force, may, for reasons based on the merits of the case, but not on any merely technical grounds, set aside the proceedings."

Transmission of proceedings.

33. For article 100 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 100.

"*Article 100.*—(*1*) Whenever any person subject to these Articles is accused of any offence which his commanding or other superior officer considers should be tried by court-martial, such officer shall order the accused to be placed in military custody until he can be tried by a court-martial or is discharged by proper authority.

Arrest or confinement of accused.

(*2*) No such person shall be detained in military custody longer than is necessary for the purposes of justice."

34. Article 101 of the said Articles is hereby repealed.

Repeal of article 101.

35. For article 102 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 102.

"*Article 102.*—(*1*) An interpreter shall be appointed to every court-martial.

Interpreter.

(*2*) If no duly qualified interpreter is available at the station or place where the court-martial sits, the officer appointing the court, or the officer commanding in the district or place within or at which the trial is to be held, shall appoint any competent person to perform the duty of interpreter.

(*3*) When no other qualified or competent person is available, the superintending officer, or, in the case of an European court, the president, shall perform the duty of interpreter.

(*4*) In the case of a trial by a summary court-martial, the officer holding the trial, or one of the officers in attendance thereat, may perform the duty of interpreter if no other competent inter-

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Substitution of new articles for article 103.

36. For article 103 of the said Articles the following shall be substituted, namely :

Dissolution of courts.

"*Article 103*.—(*1*) When a court-martial after the commencement of the trial is reduced below the smallest number of officers of which it is by these Articles required to consist, it shall be deemed to be dissolved.

(*2*) If, on account of the illness of the prisoner before the finding, it is impossible to continue the trial, a court-martial shall be dissolved.

(*3*) Where a court-martial is dissolved under this article, the prisoner may be tried again.

Power to clear court.

"*Article 103A*.—The president of a court-martial may, on any deliberation among the members, cause the court to be cleared of all other persons.

Power to view place.

"*Article 103B*.—The court may, when it thinks fit, view any place."

Amendment of article 104.

37. In article 104 of the said Articles the words "general court-martial appointed under an Order in Council, or of any other" shall be omitted.

Amendment of article 107.

38. In article 107 of the said Articles, for the words "courts-martial, other than courts-martial appointed under an Order in Council, or summary" the word "ordinary" shall be substituted.

Insertion of new article after article 108.

39. After article 108 of the said Articles the following article shall be inserted, namely :

Affirmation or oath of interpreter.

"*Article 108A*.—At a summary court-martial the interpreter shall make affirmation or oath down to the words 'published by authority' only."

Repeal of article 114.

40. Article 114 of the said Articles is hereby repealed.

Substitution of new article for article 116.

41. For article 116 of the said Articles the following shall be substituted, namely :

Conviction of an offence on charge of another.

"*Article 116*.—(*1*) A prisoner charged before a court-martial with desertion may be found guilty of attempting to desert or of being absent without leave.

(*2*) A prisoner charged before a court-martial with attempting to desert may be found guilty of desertion or of being absent without leave.

(*3*) A prisoner charged before a court-martial with any one of the following offences, that is to say, theft, dishonest misappropriation or conversion, criminal breach of trust, or dishonestly receiving or retaining stolen property, may be found guilty of any other of those offences.

(*4*) A prisoner charged before a court-martial with any other offence under these Articles may, on failure of proof of an offence having been committed under circumstances involving a more severe punishment, be found guilty of

Substitution of new article for article 117.

42. For article 117 of the said Articles the following shall be substituted, namely :

Evidence of previous convictions and general character.

"*Article 117*.—(*1*) When any person subject to these Articles has been convicted by a court-martial of any military offence, such court-martial shall enquire into, and receive and record evidence of, any previous convictions of such person, either by a court-martial or by a criminal court, and shall further enquire into and record the general character of such person.

(*2*) Evidence received under this article may be either oral, or in the shape of entries in, or certified extracts from, court-martial books or other official records; and it shall not be necessary to prove the signature to such certified extracts, nor shall it be necessary to give notice before trial to the person tried that evidence as to his previous convictions or character will be received.

(*3*) At a summary court-martial the commanding officer holding the trial may, if he thinks fit, record any previous convictions against the offender and his general character, as of his own knowledge, instead of requiring them to be proved under the foregoing provisions of this article.

General rule as to evidence.

"*Article 117A*.—Subject to the provisions of the last foregoing article, the Indian Evidence Act, 1872, subject to such modifications thereof and to such additional rules of evidence as the Governor General in Council may, by notification, direct, shall apply to all proceedings before a court-martial." I of

Substitution of new articles for articles 119 and 120.

43. For articles 119 and 120 of the said Articles the following shall be substituted, namely :

Majority requisite to sentence of death.

"*Article 119*.—No sentence of death shall be passed by any court-martial without the concurrence of two-thirds at the least of the members of the court.

Revision of finding or sentence.

"*Article 120*.—(*1*) The finding or sentence of any court-martial may be once revised by order of the officer authorized to dispose of the proceedings, and, on such revision, the court, if so directed by him, may take additional evidence.

(*2*) The court, on revision, shall consist of the same officers as were present when the original decision was passed, unless any of those officers shall be unavoidably absent.

(*3*) In case of such unavoidable absence the cause thereof shall be duly certified in the proceedings, and the court shall proceed with the revision, provided it still consists of the smallest number of officers of which such court is by these Articles required to consist."

Substitution of new articles for articles 122 to 124.

44. For articles 122 to 124 of the said Articles the following shall be substituted, namely :

"*Article 122*.—(*1*) The judge advocate in the

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(Sections 45-49.)

of any other court-martial, may, by summons under his hand, require the attendance before the court, at a time and place to be mentioned in the summons, of any person either to give evidence or to produce any document or other thing.

(*2*) In the case of a witness amenable to military authority, the summons shall be sent to the officer actually commanding the corps, department or detachment to which he belongs, and such officer shall serve it upon him accordingly.

(*3*) In the case of any other witness, the summons shall be sent to the magistrate within whose jurisdiction he may be or reside, and such magistrate shall give effect to the summons as if the witness were required in the court of such magistrate.

(*4*) When a witness is required to produce any particular document or other thing in his possession or power, the summons shall describe it with convenient certainty.

(*5*) Nothing in this section shall be deemed to affect the Indian Evidence Act, 1872, sections 123 and 124, or to apply to any letter, post-card, telegram or other document in the custody of the postal or telegraph authorities.

f 1872.

(*6*) If any document in such custody is, in the opinion of any district magistrate, chief presidency magistrate, high court or court of session, wanted for the purposes of any court-martial, such magistrate or court may require the postal or telegraph authorities, as the case may be, to deliver such document to such person as such magistrate or court may direct.

(*7*) If any such document is, in the opinion of any other magistrate or of any commissioner of police or district superintendent of police, wanted for any such purpose, he may require the postal or telegraph department, as the case may be, to cause search to be made for and to detain such document pending the orders of any such district magistrate, chief presidency magistrate or court.

Contempts of court.

"*Article 123.*—(*1*) Any witness duly summoned, and any person who commits any contempt of court in the presence of a court-martial, or any offence described in article 64, 75 or 76, shall, if subject to these Articles, be proceeded against as the court may direct.

(*2*) If any such witness or person is not so subject, the president of the court-martial may certify the offence under his hand to the court of any magistrate within the local limits of whose jurisdiction it was committed, and the magistrate may thereupon take cognizance of the case, and, after hearing anything which the accused may desire to say, dispose of it as if the offence had been committed in a proceeding in the court of such magistrate.

Privileges of persons attending courts-martial.

"*Article 124.*—(*1*) No president or member of a court-martial, no judge advocate or superintending officer, no party to any proceeding before a court-martial, or witness in any proceeding before a court-martial, shall, while proceeding to, attending on or returning from, a court-martial, be liable to arrest under civil or revenue process.

(*2*) If any such person is arrested under any such process, he may be discharged by order of the court-martial."

Repeal of articles 125 to 129.

45. Articles 125 to 129 of the said Articles are hereby repealed.

Amendment of article 130.

46. In article 130, clause (*d*), sentence 1, of the said Articles, for the words "one year" the words "two years" shall be substituted.

Substitution of new article for article 131.

47. For article 131 of the said Articles the following shall be substituted, namely:

Dismissal.

"*Article 131.*—Dismissal from the service may accompany any other sentence passed by a court-martial."

Insertion of words in article 132.

48. In article 132 of the said Articles, after the word "reduced" the words "to a lower grade or" shall be inserted.

Substitution of new articles for articles 133 to 137.

49. For articles 133 to 137 of the said Articles the following shall be substituted, namely:

Solitary confinement.

"*Article 133.*—In executing a sentence of solitary confinement, such confinement shall in no case exceed fourteen days at a time, with intervals between the periods of solitary confinement of not less duration than such periods; and, when the imprisonment awarded shall exceed three months, the solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded, with intervals between the periods of solitary confinement of not less duration than such periods.

Reduction of non-commissioned officers to ranks.

"*Article 134.*—A non-commissioned officer sentenced by court-martial to any of the punishments specified in the second paragraph of article 132 shall be deemed to be reduced to the ranks.

Forfeiture of pay and pension.

"*Article 135.*—On a conviction, of any offence, a general, summary general or district court-martial may, in addition to any other punishment which it is empowered to award, sentence the offender to forfeit all advantage as to additional pay and claim to pension on discharge which might otherwise have accrued from the length or nature of his former service, or to forfeit all such advantage absolutely, whether it has accrued from former service or may accrue from future service, or to forfeit service for the purpose of promotion, increased pay or pension or any other prescribed purpose, or to forfeit any military decoration or reward.

"*Article 136.*—Whenever a person subject to these Articles is convicted by a court-martial, his good-conduct pay shall, subject to any rules or

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(*Sections 50-62.*)

"*Article 137.*—On a conviction for any offence, if the offender is sentenced to dismissal from the service, or if his sentence involves such dismissal, he shall further be sentenced to forfeit, as the court may direct,—

Forfeiture of arrears of pay.

(*a*) all or any arrears of pay and allowances or other public money due to him at the time of his dismissal, or

(*b*) such portion thereof as may be required to make good any proved loss or damage arising out of his offence."

50. The first paragraph of article 138 of the said Articles, and the word "and" at the beginning of the second paragraph of the same article, are hereby repealed.

Amendment of article 138.

51. In article 139 of the said Articles, for the words "in the case of an officer, two-thirds, or, in the case of any other person, one-half of his" the words "one-half of the offender's" shall be substituted.

Amendment of article 139.

52. Articles 142 to 150 of the said Articles are hereby repealed.

Repeal of articles 142 to 150.

53. In article 151 of the said Articles, for the words "the nearest jail" the words "a jail" shall be substituted.

Amendment of article 151.

54. To the last-named article the following proviso shall be added, namely:

Addition to same article.

"Provided that, in the case of a sentence of such imprisonment for a period not exceeding three months, the confirming or superior authority or, in the case of a summary court-martial, the commanding officer holding the trial may direct that the sentence shall be undergone in military custody."

55. To article 152 of the said Articles the words "Subject to the control of the Commander-in-Chief in India" shall be prefixed; and for the words "the Commander-in-Chief of a Presidency" the following words shall be substituted, namely: "the general officer of the Command."

Amendment of article 152.

56. To the second paragraph of the last-mentioned article the words "Subject as aforesaid," shall be prefixed.

Further amendment of same article.

57. In article 155 of the said Articles, after the words "from the date of such sentence" the words "or, if an appeal be preferred against such sentence and fail, from the date of the disposal of such appeal," shall be inserted.

Insertion of new words in article 155.

58. To the last-mentioned article the following shall be added, namely:

Addition to same article.

"Provided that on active service any such person may, by order of the officer empowered shall be reckoned as part of his term of transportation or imprisonment."

59. Articles 156 to 159 of the said Articles are hereby repealed.

Repeal of articles 156 to 159.

60. For article 160 of the said Articles the following shall be substituted, namely:

Substitution of new article for article 160.

"*Article 160.*—When any person subject to these Articles has been convicted by a court-martial of any offence,—

Pardons and remissions.

(*a*) the Governor General in Council, or,

(*b*) when the person has been convicted of any offence other than a civil offence, the Commander-in-Chief in India or the general officer of the Command,

may—

(*1*) pardon the person;

(*2*) remit wholly or in part any punishment awarded to him;

(*3*) order the restoration to him of any service or other advantage forfeited under his sentence, or

(*4*) re-admit him to the service when he has been dismissed therefrom:

Provided that the general officer of the Command shall not exercise the powers conferred by this section in respect of any person, unless—

(*1*) the person was under his authority when sentenced; and

(*2*) the person is still in the service, or, if the person has been dismissed from the service, the corps or department from which he was dismissed has since continued under the authority of that officer."

61. In article 161 of the said Articles the words "or to the Government of Fort St. George, or to the Government of Bombay," shall be repealed; and for the words "Commander-in-Chief of any Presidency or of the officer commanding any force not attached to a Presidency" the following words shall be substituted, namely: "Commander-in-Chief in India or the general officer of the Command, or of the officer commanding any force not attached to a Command."

Amendment of article 161.

62. After article 161 of the said Articles the following shall be inserted, namely:

Addition of new article after article 161.

"*Preservation of Proceedings.*

"*Article 161A.*—(*1*) The proceedings of all general courts-martial shall be preserved by the judge advocate general for not less than seven years, and the proceedings of summary general courts-martial and district courts-martial for not less than three years, from the date of the confirmation of the finding and sentence.

Preservation of proceedings of courts-martial.

(*2*) The proceedings of regimental and sum-

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(*3*) Every person tried by a court-martial shall be entitled, on demand at any time after the confirmation of the finding and sentence where such confirmation is required, and before the proceedings are destroyed, to obtain from the officer or person having the custody of the proceedings a copy thereof, including the proceedings upon revision, if any, upon payment for the same at the prescribed rate."

Substitution of new article for article 162.

63. For article 162 of the said Articles the following shall be substituted, namely:

Enquiry on absence of person subject to Articles.

"*Article 162.*—(*1*) When any person subject to these Articles has been absent without due authority from his duty for a period of sixty days, a court of enquiry shall, as soon as practicable, be assembled, and, upon affirmation or oath administered in the prescribed manner, shall enquire respecting the absence of the person, and the deficiency, if any, of property of the Government entrusted to his care, or of his arms, ammunition, equipments, instruments, clothing or necessaries; and, if satisfied of the fact of such absence without due authority or other sufficient cause, the Court shall declare such absence and the period thereof, and the said deficiency, if any; and the commanding officer of the corps or department to which the person belongs shall enter in the court-martial book of the corps or department a record of the declaration.

(*2*) If the person declared absent does not afterwards surrender, or is not apprehended, the record shall have the legal effect of a conviction of desertion.

(*3*) If the person declared absent surrenders or is apprehended, the record or a copy thereof, purporting to bear the signature of the officer having the custody of the court-martial book, shall, on the trial of the person for desertion, be presumptive evidence of the facts therein recorded; and, on proof of the identity of the prisoner with the person therein mentioned, he may be found guilty of desertion and of the deficiency, if any, therein recorded."

Amendment of article 163.

64. For the last paragraph of article 163 of the said Articles the following shall be substituted, namely:

"Such recommendation, duly confirmed by the Commander-in-Chief in India, or by the general officer of the Command, or the officer commanding any force not attached to a Command to which he belongs, or by any general officer under whose command the person is serving, shall entitle him to receive such arrears and reckon service accordingly."

Substitution of new article for article 164.

65. For article 164 of the said Articles the following shall be substituted, namely:

Reduction to lower grade or ranks.

"*Article 164.*—The Commander-in-Chief in India, the general officer of the Command, the officer commanding any force not attached to a command, and the officer commanding any district

Amendment of article 165.

66. In article 165 of the said Articles the words "No such minor punishment shall be awarded by a court-martial, and," the words "or of the Commander-in-Chief of the Presidency, as the case may be," and the words "Whenever a soldier is convicted by a court-martial, his good-conduct pay shall cease" shall be omitted; and for the words "either by order of the commanding officer or by sentence of a court-martial" the words "by order of the commanding officer" shall be substituted.

Amendment of article 166.

67. In article 166 of the said Articles, the words "the Governor of Fort St. George in Council, the Governor of Bombay in Council, or any other Local Government" shall be omitted.

Amendment of article 168.

68. In article 168 of the said Articles, for the words "the Commander-in-Chief of the Presidency" the words "the Commander-in-Chief in India or the general officer of the Command" shall be substituted.

Amendment of article 169.

69. In the second paragraph of article 169 of the said Articles, for the words "warrant officer" the words "non-commissioned officer" shall be substituted.

Repeal of part of article 170.

70. The second and third paragraphs of article 170 of the said Articles are hereby repealed.

Substitution of new articles for articles 171 to 175.

71. For articles 171 to 175 of the said Articles the following shall be substituted, namely:

"*Civil Offences.*

Military jurisdiction with respect to civil offences.

"*Article 171.*—Every person subject to these Articles who at any place beyond British India commits any civil offence shall be deemed to be guilty of an offence against military law, and if charged therewith under this article shall, subject to the provisions of these Articles, be liable to be tried for the same by court-martial at any place, whether within or beyond British India, and on conviction to be punished as follows, that is to say:

(*a*) if the offence is one which would be punishable under the law of British India with death or with transportation, or with imprisonment for a term exceeding three years, he shall be liable to suffer any punishment assigned for the offence by the law of British India; and

(*b*) in other cases, he shall be liable to suffer any punishment assigned for the offence by the law of British India or such punishment as might be awarded to him in pursuance of these Articles in respect of an act to the prejudice of good order and military discipline.

"*Article 172.*—The Governor General in

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mitted by a person subject to these Articles when on active service in British India, and may cancel any such notification.

"*Article 173.*—Every person subject to these Articles who, whether within or beyond British India, commits or attempts to commit or abets the commission of any of the following offences against any person subject to military law, that is to say, murder, culpable homicide or any offence punishable under any of the sections 223 to 335 (both inclusive) or section 506 of the Indian Penal Code, shall be deemed to be guilty of an offence against military law, and if charged under this article with any such offence shall, subject to the provisions of these Articles, be liable to be tried by court-martial at any place whether within or without British India, and on conviction shall be liable to suffer any punishment assigned for the offence by the said Code.

Certain offences when triable by military law.

XLV of 1860.

"*Article 174.*—When under any of the foregoing Articles a criminal court and a court-martial have each jurisdiction in respect of an offence, it shall be in the discretion of the prescribed military authority to decide before which court the proceedings shall be instituted, and, if that authority decides that they shall be instituted before a court-martial, to direct that the accused person shall be detained in military custody.

Jurisdiction over certain offences.

"*Article 175.*—(*1*) When a criminal court having jurisdiction is of opinion that proceedings ought to be instituted before itself in respect of any alleged offence, it may, by written notice, require the convening authority or the prescribed military authority at his option either to deliver over the offender to the nearest magistrate to be proceeded against according to law or to postpone proceedings pending a reference to the Governor General in Council.

Power of criminal court to require delivery of offender.

(*2*) In every such case the said authority shall either deliver over the offender in compliance with the requisition or shall forthwith refer the question as to the court before which the proceedings are to be instituted for the determination of the Governor General in Council, whose order upon such reference shall be final."

72. For articles 176 to 179 of the said Articles the following shall be substituted, namely:

Substitution of new articles for articles 176 to 179.

"TITLE VI.—PROPERTY OF DECEASED PERSONS AND DESERTERS.

"*Article 176.*—The following rules are enacted respecting the disposal of the property of every person who belongs to a class subject to these articles who dies, is killed in the field, or deserts:—

Property of deceased persons, deserters and lunatics.

(*1*) The commanding officer shall secure all the moveable property that is on the spot, and cause an inventory thereof to be made, and draw any pay and allowances due to the deceased or deserter.

(*2*) In the case of a deceased person who has

a deposit not exceeding one thousand rupees, the commanding officer may, if he thinks fit, require the secretary or other proper officer of the bank to pay the deposit to him forthwith notwithstanding anything in any departmental rules; and, after the payment thereof in accordance with such requisition, no person shall have any right in respect of the deposit except as hereinafter provided.

(*3*) In the case of a deceased person whose representative is on the spot and has given security for the payment of the regimental debts (if any) of the deceased, the commanding officer shall deliver over the property and the amount of the deposit (if any) received under clause (*2*) of this article to that representative.

(*4*) In the case of a deceased person whose estate is not dealt with under clause (*3*) of this article, and in the case of any deserter, the commanding officer shall cause the property to be sold by public auction, and shall pay the regimental debts and other debts in camp or quarters (if any), and in the case of a deceased person the expenses of his funeral ceremonies, from the proceeds of the sale and the amount of the deposit (if any) received under clause (*2*) of this article.

(*5*) The surplus, if any, shall in the case of a deceased person be paid to his representative, if any, or in the event of no claim to such surplus being established within twelve months after the death, then the same shall be remitted to the prescribed officer.

(*6*) In the case of the sale of the effects of a deserter, the amount remaining in the hands of the commanding officer shall be forthwith remitted to the prescribed officer.

"*Article 177.*—Property deliverable and money payable to the representative of a deceased person under the last foregoing article may, if the total value or amount thereof does not exceed one thousand rupees, and if the prescribed officer thinks fit, be delivered or paid to any person appearing to him to be entitled to receive it or to administer the estate of the deceased, without requiring the production of any probate, letters of administration, certificate or other such conclusive evidence of title; and such delivery or payment shall be a full discharge to those ordering or making the same and to the Secretary of State for India in Council from all further liability in respect of the property or money; but nothing in this article shall affect the rights of any executor or administrator or other representative, or of any creditor, of a deceased person against any person to whom such delivery or payment has been made.

Disposal of certain property without production of probate, etc.

"*Article 178.*—A person shall be deemed to have deserted within the meaning of article 176 who has been convicted of desertion, or who has been illegally absent from duty for a period of sixty days and has not subsequently surrendered or been apprehended.

Meaning of desertion in article 176.

"*Article 179.*—The provisions of the last mentioned article shall, so far as they can be made applicable, apply in the

Application of article 178 to lunatics.

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his support as is authorised by the Military

1877. Lunatics Act, 1877."

Substitution of new Part for Part III.

73. For Part III of the said Articles the following shall be substituted, namely:

" PART III.—MISCELLANEOUS.

Prohibition of second trial.

"*Article 180.*—When any person subject to these Articles has been acquitted or convicted of an offence by a court-martial or by a criminal court, or has been summarily dealt with for an offence under article 165 or 166, he shall not be liable to be again tried for the same offence by a court-martial or dealt with summarily in respect of it under either of the said Articles.

Exemption from arrest for debt.

"*Article 181.*—(*1*) No person subject to these Articles shall, so long as he belongs to Her Majesty's Indian Forces, be liable to be arrested for debt under any process issued by, or by the authority of, any civil or revenue court or revenue-officer.

(*2*) The judge of any such court may examine into any complaint made by such person or his superior officer of the arrest of such person contrary to the provisions of this article, and may by warrant under his hand discharge the person, and award reasonable costs to the complainant, who may recover those costs in like manner as he might have recovered costs awarded to him by a decree against the person obtaining the process.

(*3*) For the recovery of such costs no fee whatever shall be payable to the court by the complainant.

Property exempted from attachment.

"*Article 182.*—Neither the arms, clothes, equipment, accoutrements or necessaries of any person subject to these Articles, nor any animal used by him for the discharge of his duty, shall be seized; nor shall the pay and allowances of any such person or any part thereof be attached, by direction of any civil or revenue court or any revenue-officer, in satisfaction of any decree or order enforceable against him.

Application of the last two foregoing articles to reservists.

"*Article 183.*—Every person belonging to the Indian Reserve Forces shall, as an officer or soldier, be entitled to all the privileges accorded by the two last foregoing articles to a person subject to these Articles.

Priority of hearing by courts of cases in which Native officers and soldiers are concerned.

"*Article 184.*—(*1*) On the presentation to any court by or on behalf of any officer or soldier subject to these Articles of a certificate, from the proper military authority, of leave of absence having been granted to or applied for by him for the purpose of prosecuting or defending any suit or other proceeding in such court, the court shall, on the application of such officer or soldier, arrange, so far as may be possible, for the hearing and final disposal of such suit or other proceeding within the period of the leave so granted or applied for.

(*2*) The certificate from the proper military authority must state the first and last day of the leave or intended leave, and set forth a descrip-

(*3*) No fee whatever shall be payable to the court in respect of the presentation of any such certificate, or in respect of any application by or on behalf of any such officer or soldier for priority for the hearing of his case.

(*4*) Where the court is unable to arrange for the hearing and final disposal of the suit or other proceeding within the period of such leave or intended leave as aforesaid, it shall record its reasons for having been unable to do so, and shall cause a copy thereof to be furnished to such officer or soldier on his application, without any payment whatever by him in respect either of the application for such copy or of the copy itself.

(*5*) If in any case a question arises as to the proper military authority qualified to grant such certificate as aforesaid, such question shall be at once referred by the court to the nearest officer commanding a corps, whose decision shall be final.

Capture of deserters.

"*Article 185.*—(*1*) Whenever any person subject to these Articles deserts, the commanding officer of the corps, department or detachment to which he belongs shall give written information of the desertion to such civil, political or police authorities as, in his opinion, may be able to afford assistance towards the capture of the deserter; and such authorities shall thereupon take steps for the apprehension of the said deserter in like manner as if he were a person for whose capture a warrant had been issued by a magistrate, and shall deliver the deserter, when apprehended, to military custody.

(*2*) Such authorities shall also, by such means as appear to them best adapted for the purpose, prevent persons reasonably believed to be subject to these Articles from travelling through the areas subject to their jurisdiction, unless on duty, or furnished with a certificate of leave or discharge.

(*3*) Any police-officer may arrest, without warrant. any person reasonably believed to be travelling without authority, and shall bring him without delay before the nearest magistrate, or the nearest military commanding officer when no magistrate is readily accessible, to be dealt with according to law.

Apprehension of military offenders.

"*Article 186.*—Whenever any person subject to these Articles, who is accused of any military offence, is within the jurisdiction of any civil, political or police officer, such officer shall aid in the apprehension and delivery to military custody of such person upon receipt of a written application to that effect signed by his commanding officer.

Presumption as to signatures.

"*Article 187.*—In any proceeding under these Articles, any application, certificate, warrant, reply or other document purporting to be signed by an officer in the civil or military service of the Government shall, on production, be presumed to have been duly signed by the person and in the character by whom and in which it purports to have been signed, until the contrary is shown.

"*Article 188.*—(*1*) The Governor General in

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(*a*) any portion of Her Majesty's Indian Forces belonging to a Command shall, when serving beyond the ordinary limits of the Command, continue subject to the authority of the general officer of the Command; or

(*b*) any portion of those forces not belonging to a Command shall be attached to a Command, and shall be subject to the authority of the general officer of the Command.

(*2*) Except as may be directed under clause (*1*) of this article, any portion of the said forces shall, when serving in a Command, be for the purposes of these Articles subject to the authority of the general officer of that Command.

"*Article 189.*—Nothing in these Articles shall be deemed to affect the authority conferred on the Commander-in-Chief in India by any Act of Parliament or by Royal Warrant or Commission.

Saving of authority of Commander-in-Chief in India.

"*Article 190.*—(*1*) The Governor General in Council may, by notification, make rules consistent with these Articles to regulate the procedure of courts-martial and officers, military, civil or political, having any jurisdiction or authority under these Articles, and for the purpose of carrying these Articles into execution, so far as relates to the investigation, trial and punishment of offences triable under them.

Power to make rules.

(*2*) Rules under this article may provide among other matters for the following:

(*a*) the assembly and procedure of courts of enquiry;

(*b*) the convening and constituting of courts-martial;

(*c*) the adjournment, dissolution and sittings of courts-martial;

(*d*) the procedure to be observed in trials by courts-martial;

(*e*) the confirmation and revision of the findings and sentences of courts-martial;

(*f*) the carrying into effect sentences of courts-martial;

(*g*) the forms of orders to be made under the provisions of these Articles relating to courts-martial, transportation or imprisonment.

(*3*) The Governor General in Council may by any such rule confer on any court-martial or officer any power (other than a power to try an accused person or pass a sentence) conferred on a court of original jurisdiction by the Code of Criminal Procedure, 1882." X of 1882.

WHEREAS it is provided by section 177 of the Army Act that where any force is raised in India any law in India may extend to the officers, non-commissioned officers and men belonging to such force, whether within or without the limits of India; 44 & 45 Vic. c. 58.

And whereas doubts exist whether certain forces which have been raised and are maintained in India under the authority of the Governor General in Council are or are not parts of Her Majesty's Indian Forces subject to the said Articles, and it is expedient to provide for the discipline and regulation of such forces;

It is hereby enacted as follows:

74. (*1*) The Governor General in Council may, by notification, apply all or any of the provisions of the said Articles as amended by this Act to any such force, and may cancel or modify any such notification.

Powers to apply Articles to certain forces under the Government of India.

(*2*) While any of the provisions of such Articles apply to any such force, the Governor General in Council may, by notification, direct by what authority any jurisdiction, powers or duties incident to the operation of those provisions shall be exercised or performed in respect to that force.

APPENDIX.

FORM FOR RECORD OF PROCEEDINGS OF SUMMARY GENERAL COURT-MARTIAL.

(*See Manual of Military Law.*)

STATEMENT OF OBJECTS AND REASONS.

ACT V of 1869, known as the Indian Articles of War, has long been felt to require amendment and re-casting, as much for the many defects and redundancies contained therein as for its faulty arrangement.

In 1887, the Indian Army Bill was drafted on the basis of the Army Act with the view to extending to the Native Army, as far as the difference of circumstances would permit, the improvements in military law introduced into the British Army by the Army Act and the preceding Discipline Act; but, as that Bill did not meet with the approval of the Secretary of State, a Bill for the amendment of Act V of 1869 was ordered, and is now submitted, dealing only with the more glaring defects of the Articles of War, following very greatly the proposals of the Indian Army Bill, 1887.

A further reason for the amendment of the Act arises from the passing by Parliament of the Madras and Bombay Armies Act, abolishing, from a date to be determined by the Governor General in Council, the Presidential system.

It has been deemed expedient to confer on the General Officers Commanding the Forces in the four Commands into which the Army of India is to be divided under the new system all the powers now held by the Commanders-in-Chief of Madras and Bombay.

The powers now held by the Governors of Madras and Bombay have been entirely rescinded.

In explaining some of the more important of the proposed amendments the order of the sections will, as far as possible, be adhered to.

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1. *Section 3* specifies the different classes of persons subject to military law. It will be observed that persons who are not gazetted, attested or enrolled, and who are included merely on the ground of their being servants or followers, are subject to the law only when on active service, in camp, on the march, or at a frontier post at which the Governor General in Council may direct that they shall be so subject.

It follows that all persons attached to the Native Army, whom it is desired to subject to military law in cantonments, must be either attested or enrolled, and it is left to executive action to determine what classes of persons shall be enrolled and what classes attested.

2. *Section 6* provides that the Governor General in Council may declare what persons are to be enrolled only or be both enrolled and attested. It is apprehended that the distinction between attestation and enrolment has not been always attended to, and that persons may thus have been attested who ought to have been enrolled, and *vice versâ*; and, as the amendment makes certain substantial distinctions between attested and enrolled persons, it has been thought well to empower the Commander-in-Chief in India, and General Officers Commanding the Forces in the four Commands, subject to any rules which may be prescribed by the Governor General in Council, to direct that any persons who have been attested under the old law shall be deemed to be enrolled under the new law, and *vice versâ*.

Sub-section (3) provides that, except in the case of a recruit, who will be attested when reported fit for duty, the form of attestation should be gone through as soon as possible upon enlistment or enrolment before a civil or military officer; and it should be stated that the intention is that the officer should ordinarily be an officer invested with magisterial powers.

3. In connection with this amendment a question of some importance presents itself as to the mode of dealing with classes of Natives serving with British corps.

The persons in question may, in some cases, be mere servants, as, for example, the grass-cutters attached to a British cavalry regiment; but in other cases, like that of the mahouts attached to a British heavy battery, they may be said to constitute an integral part of the corps.

The necessity of subjecting some persons of those classes to military law appears to be recognized; and it seems clear and is further in accordance with the general intention shown in the Mutiny Acts and in the Army Act, and by the recent action of the Government of India in bringing native drivers of British mountain batteries and the men of the Transport Corps under the Indian Articles of War, that they should, if subject to military law, be subject to that form of it provided for the Native Army.

The Army Act, in so far as it applies Indian military law to any persons of these classes, applies it only to them in certain cases where they are on active service—see section 176 (10); and it is understood that the usual practice has been to enrol them or attest them in some manner under the Indian Articles and then treat them as persons who, though their services are placed at the disposal of the British corps, belong to the Native Army and are subject to the Indian Articles. The amendment will admit of this practice being continued, but with a slight additional formality, in the case of persons who are merely enrolled and not attested. In the case of these persons it would be impracticable to prescribe any more elaborate process for subjecting them to military law than the mere entry of their names on a list with their consent. This being so, the list on which they are entered ought to become specially appropriated to this purpose. If, for example, they were merely entered on the pay list of a British corps which might contain the names of other classes of Native servants whom it is not proposed to subject to military law, there would be nothing to distinguish their position from that of those other servants, and, as has occasionally happened, a doubt might arise on the important point as to whether they were or were not subject to military law. To prevent this the amendment provides that the name of a person to be enrolled must be entered on the list of some corps or department of Her Majesty's Indian Forces. Special lists will therefore have to be kept in such British corps in which Natives attached to the corps, and whom it is desired to subject to Indian military law, will be entered as belonging to some sort of servants, corps or department of Her Majesty's Indian Forces. This, it is believed, will not give much trouble, and it will put an end to the difficulties which now from time to time arise regarding the position of these persons.

4. *Article 2 (1), (2), (3) and (4)* empower certain authorities to confer upon servants and followers subject to military law a status higher than that of a soldier for the purposes of any provision of the law, and has been suggested by section 175 (8) of the Army Act; but, having regard to the great diversities of position among the numerous persons who

accompany an army in this country in connection with the furnishing of supplies, for the performance of clerical work, as private traders, and otherwise, it has been thought well to give a wider discretion and to allow not merely the status of an officer but also that of a warrant officer or non-commissioned officer to be thus conferred.

5. *Article 2 (5)* empowers the Governor General in Council to determine in cases of doubt any question as to the rank of any person, or as to whether he is above or below a specified rank, and has been introduced with reference to those Articles which apply, *e.g.*, to persons "below the rank of warrant officer" or "below the rank of non-commissioned officer." It is believed that, as a rule, there will be no difficulty in determining the rank of a person subject to the Articles of War; but, as in the case of some enrolled persons a doubt might arise, it has been deemed advisable to provide for its removal.

6. *Articles 3 and 4.*—Under the existing law, the discharge, as distinguished from the dismissal, of a commissioned officer or other person has been practically impossible. Dismissal carries with it forfeiture of all claim to pension. This has not unfrequently been found to be inconvenient. It may often be desirable to discharge a commissioned officer or soldier under conditions which do not call for a forfeiture of pension earned.

The proposed amendment will effect this end without injustice to the discharged person.

The further amendment in article 4, giving power to General Officers Commanding divisions or districts to dismiss or discharge, is thought to be very desirable. This power is exercised by the General Officers Commanding the Punjab Frontier Force and the Hyderabad Contingent under the existing law, and has worked well.

Courts-martial.

7. An effort, which necessarily leads to the repealing of a large number of the existing Articles, has been made to effect a considerable simplification. At present there are no less than ten different kinds of Courts-martial. The formal list in article 72 mentions only eight, but the headings "General Courts-martial" and "District Courts-martial" in that list each comprise two sub-divisions, General and District Courts-martial being practically different Courts when they are convened under the authority of an Order in Council from what they are when otherwise convened.

The amendment provides for only five descriptions of Courts-martial, namely:

General Courts-martial,
District Courts-martial, and
Regimental Courts-martial,
and
} which are called ordinary Courts-martial.

Summary General Courts-martial, and
Summary Courts-martial,
} which are called extraordinary Courts-martial.

8. The General Court-martial corresponds to the General Court-martial of the Army Act and the present Articles, and will consist of seven officers instead of nine; but, if the full complement of seven officers is not available, it may consist of any number not less than five.

The District Court-martial corresponds to the District and Garrison Courts-martial of the present Articles, but differs therefrom in the following particulars, that it is to consist of not less than five officers instead of seven, but, if so many as five are not available, it may consist of any number not less than three: that it is competent to try any offence under the Articles, and its power of awarding imprisonment is extended from one to two years. It will be observed that, as to this last particular, its powers have been put on the same footing as those of a District Court-martial under the Army Act.

The Regimental Court-martial corresponds to the Regimental Court-martial, Regimental Detachment Court-martial and Detachment Court-martial of the present Articles. Its powers remain the same, but it is to consist of three—instead of five—officers.

It is debarred from trying a considerable number of the more serious military offences and any civil offence without the permission of superior authority. It can try any person subject to the Articles and not above the rank of non-commissioned officer who is under the command of the convening officer.

9. *Article 89.*—Every finding and sentence of an ordinary Court-martial requires confirmation and will be valid only in so far as it is confirmed. This is in substantial accordance with the existing law, but an important change is proposed in article 89A, subsection (*1*), which, except on active service or beyond the limits of India, makes sentences of death, transportation or imprisonment for a term exceeding seven years confirmable only by the Commander-in-Chief in India, the General Officer of a Command or an officer commanding a force not attached to a Command.

10. Of the extraordinary Courts-martial the Summary General Court-martial corresponds to the Field General Court-martial of the Army Act and to the Detachment General Court-martial of the present Articles. It is intended also to replace to some extent the General Court-martial which the present Articles allow to be convened under an

Order in Council, but which has, as a matter of fact, now fallen into disuse. It may be convened by an officer specially empowered by the Government of India or by the Commander-in-Chief in India, or the General Officer of a Command, or by an Officer Commanding any detached portion of Her Majesty's troops on active service, when, in his opinion, it is not practicable, with due regard to discipline and the exigencies of the service, that an offence should be tried by an ordinary General Court-martial.

It has the same powers as a General Court-martial, and differs from a General Court-martial chiefly in this, that it may consist of any number of officers not less than three, that these officers may be either British officers or Native officers, or both combined, as the convening officer thinks fit, that it may be convened and the proceedings may be recorded in the form in which a Field General Court-Martial under the Army Act is convened and records its proceedings, that is, without recording the evidence, unless the convening officer specially directs the evidence together with the prisoner's statement in defence to be fully recorded; and that a sentence passed by it, and not exceeding that which might be passed by a District Court-martial, is valid without confirmation, while more severe sentences passed by it are confirmed by the convening officer.

11. The Summary Court-martial corresponds to the Summary Court-martial of the present Articles. It is an institution peculiar to Indian military law. It may be held by the Commanding Officer, *being a combatant officer*, of any corps or department of Her Majesty's Indian Forces or of any detachment thereof, or by the Commanding Officer of any British corps or detachment to which Native combatant details are attached. It consists of the Commanding Officer sitting with two other officers, who attend to watch the trial and sign the proceedings. Its ordinary functions are restricted to the trial of any person under the command of the officer holding the trial, except an officer, medical subordinate or warrant officer, but a member of an Army Hospital Corps may be tried by Summary Court-martial by any officer authorized in this behalf by the Officer Commanding the district. It can take cognizance of any of the less serious offences punishable under the Articles where they do not happen to be offences committed against the officer holding the trial, and when there is grave reason for immediate action, or reference cannot, without detriment to discipline, be made to superior authority, of any offence whatever. When held by an Officer Commanding a corps or department, it can pass any sentence except one of death, transportation or imprisonment for a term exceeding one year, but when held by an Officer Commanding a detachment it cannot pass a sentence of imprisonment for a term exceeding six months.

A sentence of a Summary Court-martial, except when it is a sentence passed by an officer of less than five years' service, will not require confirmation, but the proceedings in all cases must, without delay, be submitted to the Commander-in-Chief or some other superior officer, who is empowered, if he thinks fit, to set aside the trial on the merits of the case, but not on merely technical grounds.

12. *Article 117A* allows the Governor General in Council to modify the provisions of the Indian Evidence Act as applied to Courts-martial.

13. *Article 120.*—This provision, differing from the corresponding provision of the Army Act, will empower the officer to whom the proceedings of a Court-martial are submitted for confirmation to direct, when the proceedings are sent back for revision, additional evidence to be taken when necessary.

This seems desirable in order to avoid the necessity for ordering a fresh trial in cases where, as may happen in outlying stations in this country, irregularities and omissions are apt to occur.

Miscellaneous.

14. *Article 132.*—Following on the principles of the Army Act, it will now be possible for a Court-martial to reduce a non-commissioned officer to a junior grade instead of necessarily being compelled to reduce him to the ranks; and further, a Court-martial will be in a position to award, on occasion, a duplicate punishment, as, for example, dismissal coupled with one of the other punishments awardable under the article.

15. *Article 151.*—This proviso is intended to do away with the anomaly of a sentence of less than three months' hard labour imprisonment having either to be commuted to simple imprisonment, or, if not commuted, losing the services of a soldier for perhaps a comparatively venial offence, as it is held to be prejudicial to the interests of a regiment to receive back into the ranks a person who has been an inmate for any time of a civil jail.

16. *Article 155* provides a necessary safeguard to the soldier who, having been convicted by the civil power in a Court of first instance, is acquitted on appeal.

It further provides for the temporary retention in the ranks of a soldier who, on active service, has been sentenced to transportation or imprisonment, and declares the time the soldier is so retained shall be reckoned as part of his term of transportation or imprisonment.

17. *Article 161A,* following generally on the provisions of the Army Act, makes due provision for the preservation of the proceedings of Courts-martial, and the means by which these records will be available to persons interested.

18. *Article 162.*—The amendments will empower the Court of Enquiry not only to declare the unauthorised absence and the period thereof, but also to take evidence upon oath as to any deficiency of Government property which had been entrusted to the absentee, and the recorded declaration thereof will be, at any subsequent trial, presumptive evidence of that deficiency.

19. *Article 164.*—Power is given to a General Officer Commanding a District to summarily reduce a non-commissioned officer to a lower grade or to the ranks.

The want of this power has been greatly felt and is considered to be a very desirable power to grant to General Officers Commanding Districts.

20. *Articles 171 to 175.*—Civil offences committed beyond British India, or on active service within British India. These articles will entirely remove the difficulties which have not unfrequently been experienced in dealing with civil offences of the graver classes committed by soldiers when serving beyond the limits of British India.

The Criminal Courts are given concurrent jurisdiction with Courts-martial over such offences. Conflicts may at times arise, but, to prevent any difficulty from this, it is provided that when the two classes of Courts have concurrent jurisdiction it will be for the military authorities to decide in the first instance on the tribunal to which the case is to be submitted ; but that, if the ordinary Criminal Court having jurisdiction is of opinion that the case ought to be tried before itself, it may require the military authorities to stop their proceedings pending a reference to the Governor General in Council.

Article 173 is quite a new provision, but it is in accordance with the practice which has to some extent at least prevailed under the existing law when violence or threats have been made against a superior officer.

It provides that certain grave offences involving violence or threats against any person subject to military law shall, though committed in British India, be cognizable by a Court-martial.

The British soldier is, throughout the greater part of British India, triable by a Court-martial for a civil offence.

The Native soldier, on the contrary, is triable by Court-martial only for military offences, and the Indian Articles in defining these offences do not provide expressly for the case of a soldier killing, or inflicting some serious injury on, his superior officer. In such a case, therefore, the Native soldier ought, strictly speaking, to be made over for trial to the ordinary Criminal Court; but it is thought sometimes desirable that he should be tried by a Court-martial, which would dispose of the case rapidly and with a due regard to the interests of discipline ; and he is accordingly put on his trial before a Court-martial "for assaulting his superior officer"—an offence punishable with death or any less penalty under the existing Articles, and thus substantial justice is done and the ends of discipline are secured, though by a procedure which must be allowed to be somewhat irregular. It should be observed that, apart from the irregularity of trying for a mere assault a man who is guilty perhaps of murder, this mode of dealing with such cases is practicable only under a law which, like the present Articles, makes all assaults on a superior officer indiscriminately punishable with death without taking account, as the Army Act does, of circumstances so important as that of the officer being in the execution of his duty or otherwise, or that of the offence being committed on active service or in a cantonment; and such a law it seems difficult to maintain.

It has accordingly been thought better to recognize the fact that it is desirable in the interests of discipline that certain civil offences whether against a superior officer or other person subject to military law should be triable by a Court-martial instead of, exclusively, by an ordinary Criminal Court, and to make them triable by a Court-martial in the same way as civil offences committed by a British soldier.

21. *The concluding section* gives the Governor General in Council power to apply all or any of the provisions of the Articles as amended by this Bill to any force raised in India under the authority of the Governor General in Council, with respect to which there may be doubt whether it forms part of Her Majesty's Indian Army. It will, it is thought, be found useful as affording a means of removing the difficulties which have occasionally been felt regarding the application of any form of military law to certain forces which are maintained chiefly for local purposes under the control of the Governor General's Agents in Native territory, and which are entirely distinct from the forces of Native States known as Imperial Service Troops.

HENRY BRACKENBURY.

The 13th August, 1894.

J. M. MACPHERSON,

Offg. Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 13, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th September, 1894:

NO. 12 OF 1894.

A Bill to amend certain enactments relating to the Army.

WHEREAS it is expedient to amend certain enactments relating to the Army in manner hereinafter appearing; It is hereby enacted as follows:

Title and commencement.

1. (*1*) This Act may be called the Repealing and Amending (Army) Act, 1894; and

(*2*) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, fix in that behalf.

Repeal and amendment of enactments.

2. (*1*) The enactment specified in the first schedule is hereby repealed to the extent mentioned in the third column thereof.

(*2*) The enactments specified in the second schedule are hereby modified to the extent and in the manner mentioned in the third column thereof.

THE FIRST SCHEDULE.

Enactment repealed.

Number and year.	Title.	Extent of repeal.
1	2	3
Act of the Governor General in Council.		
XI of 1877 ...	Military Lunatics Act, 1877.	In sections 4 and 6 *the words* divisions or. In section 7 *the word* division.

THE SECOND SCHEDULE.

Enactments amended.

Number and year.	Title or subject.	Amendments.
1	2	3
Act of the Governor General in Council.		
XI of 1877 ...	Military Lunatics Act, 1877.	In section 3, *for* Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force *read* Army Act; *for* military regulations of the Presidency to which he belongs *read* military regulations in

Enactments amended—contd.

Number and year.	Title or subject.	Amendments.
1	2	3
XI of 1877—*contd.*		force for the time being; *for* one of the Surgeons-General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs *read* the Principal Medical Officer of Her Majesty's Forces in India, the Surgeon-General with the Government of India, the Surgeon-General with the Government of Madras, the Surgeon-General with the Government of Bombay, or the Principal Medical Officer of the local command to which the said lunatic belongs; *and for* such Surgeon-General *and* the Surgeon-General *read* such Principal Medical Officer or Surgeon-General.

Enactments amended—concld.

Number and year.	Title or subject.	Amendments.
1	2	3
XI of 1877—*concld.*		In sections 3, 6 and 7, *for the words* local military regulations, *wherever they occur, read* military regulations.
Regulations of the Madras Code.		
VII of 1808 ...	Power to establish martial law.	In the title, in the first place in which the words occur in the preamble, in section 2 and in section 4, *for* Governor in Council *read* Governor General in Council.
VIII of 1817...	Sepoy Málguzárs.	In the title, *for* on the military establishment of the Presidency of Fort St. George *read* in the Madras Command.
		In section 9, clause *first*, *for* on the military establishment under the Presidency of Fort St. George *read* in the Madras Command.

STATEMENT OF OBJECTS AND REASONS.

THE principal object of this Bill is to effect certain amendments in the Indian Statute-book which are necessitated by the proposed abolition of the presidential army system. The opportunity is taken to effect some formal amendments which are necessitated by change of circumstances.

The 3rd September, 1894.

HENRY BRACKENBURY.

J. M. MACPHERSON,
Offg. Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 25, 1894.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 18th October, 1894:

NO. 15 OF 1894.

A Bill to amend Act V of 1861 (an Act for the Regulation of Police).

WHEREAS it is expedient to amend Act V of 1861 (*an Act for the Regulation of Police*); It is hereby enacted as follows:

Addition to interpretation-clause, section 1, Act V, 1861.

1. In section 1 of the said Act the following shall be inserted between the interpretations of the words "general police-district" and the word "property," namely:

"The words 'District Superintendent' and 'District Superintendent of Police' shall include any Assistant District Superintendent or other person having charge of the administration of the police of a district in pursuance of a general or special order of the Local Government."

Addition to section 7, Act V, 1861, respecting minor punishments.

2. In section 7 of the said Act, in lieu of the words beginning "or fine any police-officer" down to the end of the section, the following shall be substituted, namely:

"or may award to him any of the following punishments, namely:

(*a*) fine to any amount not exceeding one month's pay;

(*b*) confinement to quarters for a term not exceeding fifteen days, with or without punishment-drill, extra guard, fatigue or other duty;

(*c*) deprivation of good-conduct pay;

(*d*) removal from any office of distinction or special emolument."

Amendment of section 8, Act V, 1861, respecting certificates and suspension.

3. For the second paragraph of section 8 of the said Act, beginning with the words "Such certificate shall cease to have effect" and ending with the words "officer empowered to receive the same," the following shall be substituted namely:

"Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a police-officer, and, on his ceasing to be such an officer, shall be forthwith surrendered by him to his superior officer or some other officer empowered to receive the same.

"A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, functions and privileges vested in him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties, and to the same authorities, as if he had not been suspended."

Substitution of new section for section 15, Act V, 1861.

4. For section 15 of the said Act the following shall be substituted, namely:

Quartering of additional police in disturbed or dangerous districts.

"15. It shall be lawful for the Inspector General of Police, with the sanction of the Local Government, to be notified by proclamation in the official Gazette, and in such other manner as the Local Government shall direct, to employ any police-force in excess of the ordinary fixed complement to be quartered in any part of the general police-district which shall be found to be in a disturbed or dangerous state, or in any part of the general police-district in which, from the conduct of the inhabitants or of any of them, he may deem it expedient to increase the number of police.

"The cost of such additional police-force shall be borne, as the Magistrate of the district may direct,—

(*a*) by the inhabitants of, or persons having interest in land in, the local area described in the notification, or both, or

(*b*) by any such inhabitants or persons, or class or classes of such inhabitants or persons, or both, as aforesaid, as in the opinion of such Magistrate have caused or contributed to the disturbance or other cause which led to the quartering of the additional police-force, and no portion of such cost shall be payable by any person or class of persons who, in the opinion of the Magistrate, have been free from blame;

and such Magistrate, after enquiry if necessary, shall apportion such cost according to his judgment of their respective means among the inhabitants and other persons who are as aforesaid liable to bear the same."

Addition of new sections after section 15 of Act V, 1861.

5. After section 15 of the said Act the following shall be inserted, namely:

Awarding compensation to sufferers from misconduct of inhabitants or persons interested in land.

"15A. If in any part of the general police-district as aforesaid, in which, under the provisions of the last foregoing section, an additional police-force might be quartered, death or grievous hurt or damage to property has been caused by or ensued from the misconduct of the inhabitants of, or persons having interest in land in such part, or both, and if no additional police-force has been quartered therein, it shall be lawful for the Magistrate of the district, with the previous sanction of the Local Government, to—

(*a*) make an award fixing the amount of compensation payable to the sufferers for the injury caused by or which has ensued from such misconduct ;

(*b*) make an order determining the persons or class or classes of persons, being inhabitants of or having interest in land in such part as aforesaid, by whom the amount so awarded shall be paid ; and

(*c*) make an order assessing the proportion in which the same shall be paid by each such person or class of persons according to his judgment of their respective means:

Provided that no portion of the compensation so awarded shall be payable by any person or class of persons whom the Magistrate shall, in such order, declare to be innocent of complicity with the misconduct.

Confirmation of orders and award under sections 15, clause (*b*), and 15A.

"15B. An order made under section 15, clause (*b*), or an award or order made under section 15A shall not take effect until it has been confirmed by the Commissioner of the division or, where there is no Commissioner, by the Local Government.

Recovery of amount assessed under section 15A.

"15C. When an assessment made under section 15A has been confirmed under the last foregoing section, the amount assessed shall be recoverable, under the warrant of the Magistrate of the district, in the manner provided by sections 386 and 387 of the Code of Criminal Procedure for the recovery of fines." X of 1

Addition to section 29, Act V, 1861, respecting overstay of leave.

6. In section 29 of the said Act, after the words "for the period of two months" the following shall be added, namely:

"or who, being absent on leave, shall fail, without reasonable cause, to report himself for duty on the expiration of such leave."

Addition to section 30, Act V, 1861.

7. To section 30 of the said Act the following shall be added, namely:

"And may also, in the case of any assembly or procession which in the judgment of the Magistrate of the district would, if uncontrolled, be likely to cause a breach of the peace, issue a license for the purpose of defining the conditions on which alone the assembly or procession is to be permitted to take place and otherwise giving effect to this section."

Addition to section 31, Act V, 1861.

8. To section 31 of the said Act the following shall be added, namely:

"It shall be competent to any Magistrate or police-officer not below the rank of an Inspector to stop any procession, and call on it or any assembly which violates the conditions of a license granted under the last foregoing section to disperse."

Substitution of new section for sections 37, 38, 39 and 40, Act V, 1861.

9. For sections 37, 38, 39 and 40 of the said Act the following section shall be substituted, namely:

Recovery of penalties and fines imposed by Magistrates.

"37. The provisions of sections 64 to 70, both inclusive, of the Indian Penal Code, and of sections 386, 387 and 389 of the Code of Criminal Procedure, 1882, with respect to fines, shall apply to penalties and fines imposed under this Act on conviction before a Magistrate." XLV of / X of

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STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to amend Act V of 1861 (*An Act for the Regulation of Police*). The Bill is partly based upon recommendations submitted by the Government of the North-Western Provinces and Oudh and the Committee appointed in those Provinces for the reform of the police-force. It is also designed to remedy certain defects in the Act of 1861 which have been brought to notice by judicial interpretations of that Act, and to supply provision for some contingencies which the Act does not at present meet.

2. Section 1 of the Bill is intended to remove any doubts as to the legal powers vested in an Assistant District Superintendent of Police or other person whom the Local Government may find it necessary to appoint to the charge of the police of a district.

3. By section 2 certain disciplinary punishments, recommended by the North-Western Provinces and Oudh Police Committee, are added to the punishments specified in section 7 of the Act.

4. It has been held by two High Courts that at present a policeman when suspended, even temporarily, ceases to be a member of the police-force and is no longer amenable to

the provisions of Act V of 1861. Section 3 of the Bill will enact that a police-officer shall not by reason of being suspended from office cease to be a police-officer or to be subject to responsibilities and discipline as such.

5. Section 4 will allow a discretion, which has been recognized as desirable, to levy the cost of an additional police-force from those persons only whose conduct has rendered the employment of the additional force necessary. Landholders, though not in person resident in the area affected, will unless exempted also be liable to contribute. It is proposed by section 5 that in some cases, where an additional police-force is not imposed, those who would be liable for its maintenance should pay compensation to persons injured.

6. In section 6 is embodied a recommendation submitted by the Government of Bengal that a police-officer who fails to return to duty after leave should be subjected to the penal provisions of section 29 of the Police Act, which apply to an officer who withdraws from his duties without permission or without giving previous notice for the period of two months.

7. Section 32, Act V of 1861, renders liable to fine any person who violates the conditions of a license granted by the District Superintendent or Assistant District Superintendent of Police for the use of music or for the conduct of assemblies and processions: but the provision empowering these officers to grant the license is not distinct. Section 7 of the Bill will expressly authorize the superior police-officers, in the case of any assembly or procession which requires control, to issue a license specifying the conditions on which it may take place. Section 8 will empower any Magistrate or police-officer not below the rank of Inspector to call on any procession or assembly to disperse which violates the conditions of a license granted as above.

8. The general provisions of the Code of Criminal Procedure and the Indian Penal Code, in respect to the levy of fines, being sufficient to meet the case of penalties and fines imposed under the Police Act on conviction before a Magistrate, are substituted by section 9 of the Bill for the sections relating to distress in the Act of 1861, which are now not wholly appropriate for the purpose in view.

The 18th October, 1894. A. P. MACDONNELL.

J. M. MACPHERSON,

Deputy Secretary to the Government of India.